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Statutes  
Ont.

Ontario Statutes

# STATUTES

OF THE

## PROVINCE OF ONTARIO

PASSED IN THE SESSION HELD IN THE

Twentieth Year of the Reign of His Majesty  
KING GEORGE V

Being the First Session of the Eighteenth  
Legislature of Ontario

1930

BEGUN AND HOLDEN AT TORONTO ON THE FIFTH DAY OF FEBRUARY  
IN THE YEAR OF OUR LORD ONE THOUSAND NINE HUNDRED  
AND THIRTY



ONTARIO

HIS HONOUR WILLIAM DONALD ROSS  
LIEUTENANT-GOVERNOR

TORONTO

Printed and Published by Herbert H. Ball, Printer to the King's Most Excellent Majesty

1930

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Statutes  
Ont.

# STATUTES

## PROVINCE OF ONTARIO

Twelfth Year of the Reign of  
KING GEORGE V



Printed by the Queen's Printer,  
Toronto, Ontario



ONTARIO

THE HONOURABLE THE ATTORNEY GENERAL  
OF THE PROVINCE OF ONTARIO

Printed by the Queen's Printer,  
Toronto, Ontario

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# 20 GEORGE V.

## CHAPTER 1.

An Act for granting to His Majesty certain sums of money for the Public Service of the financial year ending on the 31st day of October, 1930, and for the Public Service of the financial year ending the 31st day of October, 1931.

*Assented to 3rd April, 1930.*

MOST GRACIOUS SOVEREIGN:

**W**HEREAS it appears by message from His Honour William Donald Ross, Esq., Lieutenant-Governor of the Province of Ontario, and the estimates accompanying the same, that the sums hereinafter mentioned in the schedules to this Act are required to defray certain expenses of the public service of this Province, not otherwise provided for, for the financial year ending the 31st day of October, 1930, and for the financial year ending the 31st day of October, 1931, and for other purposes connected with the public service; May it therefore please Your Majesty that it may be enacted, and it is hereby enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, as follows:

1. From and out of the Consolidated Revenue Fund of this Province, there may be paid and applied a sum not exceeding in the whole Twenty-two million one hundred and fifty-three thousand nine hundred and twenty-five dollars and ninety-seven cents towards defraying the several charges and expenses of the public service of this Province, not otherwise provided for, from the 1st day of November, 1929, to the 31st day of October, 1930, as set forth in schedule "A" to this Act.

2. From and out of the Consolidated Revenue Fund of this Province, there may be paid and applied a sum not exceeding in the whole Sixty-eight million two thousand two hundred and twelve dollars towards defraying the several charges and expenses of the public service of this Province, not otherwise provided for, from the 1st day of November, 1930, to the 31st day of October, 1931, as set forth in schedule "B" to this Act.

Accounts  
to be laid  
before  
Assembly.

**3.** Accounts in detail of all moneys received on account of this Province during the said financial year 1929-1930, and of all expenditures under schedule "A" of this Act, shall be laid before the Legislative Assembly at its first sitting after the completion of the said period; and accounts in detail of all moneys received on account of this Province during the financial year 1930-31 and of all expenditures under schedule "B" of this Act shall be laid before the Legislative Assembly at the first sitting after the completion of the said financial year.

Appro-  
priations for  
1929-30  
unexpended  
to lapse.

**4.** Any part of the money under schedule "A" appropriated by this Act out of the Consolidated Revenue, which may be unexpended on the 31st day of October, 1930, shall not be expended thereafter, except in the payment of accounts and expenses incurred on or prior to the said day; and all balances remaining unexpended after the said date or at such subsequent date as may be fixed by the Lieutenant-Governor in Council under the provisions of *The Audit Act* shall lapse and be written off.

Rev. Stat.,  
c. 25.

Appro-  
priations for  
1930-31 un-  
expended  
to lapse.

**5.** Any part of the money under schedule "B" appropriated by this Act out of the Consolidated Revenue, which may be unexpended on the 31st day of October, 1931, shall not be expended thereafter, except in the payment of accounts and expenses incurred on or prior to the said day; and all balances remaining unexpended after the said date or after a date fixed by the Lieutenant-Governor in Council as mentioned in section 4 shall lapse and be written off.

Accounting  
for  
expenditure.

**6.** The due application of all moneys expended under this Act out of the Consolidated Revenue shall be accounted for to His Majesty.

Commence-  
ment of Act.

**7.** This Act shall come into force on the day upon which it receives the Royal Assent.

## SCHEDULE "A."

Sums granted to His Majesty by this Act for the financial year ending on the thirty-first day of October, one thousand nine hundred and thirty, to defray expenses of:

Prime Minister's Department.	\$10,410,900 00
Legislation.	2,025 00
Attorney-General's Department	353,050 57
Insurance Department.	4,125 00
Education Department.	1,952,469 61



Lands and Forests Department	\$307,725 00
Northern Development Department.....	250,200 00
Mines Department.....	109,609 00
Game and Fisheries Department	119,100 00
Public Works Department.....	2,810,802 84
Highways Department.....	29,000 00
Health Department.....	91,800 00
Labour Department.....	4,805,304 05
Provincial Treasurer's Department.....	22,693 00
Provincial Auditor's Office.....	2,700 00
Provincial Secretary's Department.....	650,857 81
Agriculture Department.....	159,652 09
Miscellaneous.....	71,912 00

---

Total estimates for expenditure of 1929-1930.....\$22,153,925 97

### SCHEDULE "B."

Sums granted to His Majesty by this Act for the financial year ending on the thirty-first day of October, one thousand nine hundred and thirty-one, to defray expenses of:

Lieutenant-Governor's Office...	\$6,350 00
Prime Minister's Department..	28,003,375 00
Legislation.....	378,375 00
Attorney-General's Department	2,439,550 00
Insurance Department.....	65,475 00
Education Department.....	8,188,709 00
Lands and Forest Department.	3,279,125 00
Northern Development Department.....	750,000 00
Mines Department.....	484,300 00
Game and Fisheries Department	687,450 00
Public Works Department.....	1,140,303 00
Highways Department.....	532,425 00
Health Department.....	804,450 00
Labour Department.....	8,731,850 00
Provincial Treasurer's Department.....	614,825 00
Provincial Auditor's Office.....	105,750 00
Provincial Secretary's Department.....	8,177,630 00
Agriculture Department.....	2,920,770 00
Miscellaneous.....	691,500 00

---

Total estimates for expenditure of 1930-1931.....\$68,002,212 00

## CHAPTER 2.

## An Act for raising Money on the Credit of the Consolidated Revenue Fund.

*Assented to 3rd April, 1930.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The Ontario Loan Act, 1930*.

Loan of  
\$40,000,000  
authorized.

**2.** The Lieutenant-Governor in Council is hereby authorized to raise by way of loan a sum of money not exceeding forty million dollars (\$40,000,000) for all or any of the purposes following, that is to say: For the public service, for works carried on by commissioners on behalf of Ontario, for the covering of any debt of Ontario on open account, for paying any floating indebtedness of Ontario and for the carrying on of the public works authorized by the Legislature.

Terms to be  
fixed by  
Lieutenant-  
Governor.

**3.** The aforesaid sum of money may be borrowed for any term or terms not exceeding forty years, at such rate as may be fixed by the Lieutenant-Governor in Council and shall be raised upon the credit of the Consolidated Revenue Fund of Ontario, and shall be chargeable thereupon.

Sinking  
Fund.

**4.** The Lieutenant-Governor in Council may provide for a special sinking fund with respect to the issue herein authorized, and such sinking fund may be at a greater rate than the one-half of one per centum per annum specified in subsection 2 of section 3 of *The Provincial Loans Act*.

Rev. Stat.,  
c. 23.

Commence-  
ment of Act.

**5.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 3.

## An Act to amend The Election Act.

*Assented to 3rd April, 1930.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Election Act, 1930.* Short title.

2. *The Election Act* is amended by adding thereto the following sections: Rev. Stat.,  
c. 8,  
amended.

57a.—(1) No nomination paper shall be valid or acted upon by the returning officer unless it is accompanied by a deposit of \$200 in legal tender or in the bills of any chartered bank doing business in Canada, or a cheque made payable to the Treasurer of Ontario for that amount drawn upon and accepted by such bank. Deposit by  
candidates.

(2) The returning officer shall not accept any deposit until after all the other steps necessary to complete the nomination of the candidate have been taken, and upon his accepting any deposit he shall give to the person by whom it is paid to him a receipt therefor. Receipts for  
deposits.

(3) The full amount of every deposit shall forthwith after its receipt be transmitted by the returning officer to the Treasurer of Ontario. Deposit to  
be sent to  
Provincial  
Treasurer.

(4) The sum so deposited by any candidate shall be returned to him by the Treasurer of Ontario in the event of his being elected or of his obtaining a number of votes at least equal to one-fourth the number of votes polled in favour of a candidate elected, otherwise, except in the case hereinafter provided for, it shall belong to His Majesty for the public uses of Ontario. How deposit  
dealt with.

Deposit to  
be returned  
in case of  
death.

- (5) The sum so deposited shall, in case of the death of any candidate after being nominated and before the closing of the poll, be returned to the personal representatives of such candidate or to such other person or persons as may be determined by the Treasurer of Ontario.

List of  
candidates  
nominated.

- 57*b*. At the close of the time for nominating the candidates the returning officer shall deliver to every candidate or the agent of a candidate applying therefor a duly certified list of the names of the several candidates who have been nominated.

Rev. Stat.,  
c. 8, s. 92,  
repealed.

- 3.** Section 92 of *The Election Act* is repealed and no person shall be entitled to vote at any election unless his name is duly entered on the proper polling list.

Commence-  
ment of  
Act.

- 4.** This Act shall come into force on a day to be named by the Lieutenant-Governor by his proclamation.

## CHAPTER 4.

## An Act to amend The Legislative Assembly Act.

*Assented to 3rd April, 1930.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Legislative Assembly Act*, Short title.  
1930.

2. Section 3 of *The Legislative Assembly Act* is amended Rev. Stat., c. 12, s. 3, amended. by striking out the word "four" in the first line and inserting in lieu thereof the word "five," so that the section will now read as follows:

3. Every Assembly shall continue for five years from Duration of Assembly. the fifty-fifth day after the date of the writs for the election and no longer, subject to being sooner dissolved by the Lieutenant-Governor.

3. Section 76 of *The Legislative Assembly Act* is repealed Rev. Stat., c. 12, s. 76, repealed. and the following substituted therefor:

76.—(1) To the member recognized by the Speaker as Special indemnity to Leader of Opposition. occupying the position of Leader of the Opposition in the Legislative Assembly, there shall be payable over and above the sessional indemnity mentioned in section 70, an additional sessional indemnity of \$3,000.

(2) The amendment made by subsection 1 shall take Retroactive to 31st Oct., 1929. effect as from the 31st day of October, 1929.

4. This Act shall come into force on the day upon which Commencement of Act. it receives the Royal Assent.

## CHAPTER 5.

## An Act to amend The Executive Council Act.

*Assented to 3rd April, 1930.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.      **1.** This Act may be cited as *The Executive Council Act, 1930.*

Rev. Stat.,  
c. 14, s. 2,  
repealed.      **2.** Section 2 of *The Executive Council Act* is repealed and the following substituted therefor:

Heads of  
Department.      **2.** The Lieutenant-Governor may appoint under the Great Seal from among the Ministers of the Crown the following Ministers to hold office during pleasure: a President of the Council, an Attorney-General, a Secretary and Registrar, a Treasurer, a Minister of Lands and Forests, a Minister of Mines, a Minister of Agriculture, a Minister of Public Works, a Minister of Highways, a Minister of Education, a Minister of Labour, a Minister of Health and such other Ministers as he may see fit; and may by Order-in-Council prescribe their duties and the duties of the several departments over which they preside, and of the officers and clerks thereof.

Rev. Stat.,  
c. 14, s. 3,  
subs. 1  
repealed.      **3.** Subsection 1 of section 3 of *The Executive Council Act* is repealed and the following substituted therefor:

Salaries.      **(1)** The annual salary of every Minister having charge of a Department shall be \$10,000.

Commence-  
ment of  
Act.      **4.** This Act shall come into force on the day upon which it receives the Royal Assent and shall have effect as from the 1st day of November, 1929.



## CHAPTER 6.

## An Act to amend The Corporations Tax Act.

*Assented to 3rd April, 1930.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Corporations Tax Act*, Short title.  
1930.

**2.** Section 1 of *The Corporations Tax Act* is amended by Rev. Stat.,  
c. 29, s. 1,  
amended,  
adding thereto the following clause:

(l) "Finance Company" shall mean and include a corporation carrying on business in Ontario, whose main or chief business is buying or selling and dealing in mortgages, conditional sale agreements, lien notes, bills or any other similar obligations or property. "Finance company."

**3.** Section 3 of *The Corporations Tax Act* is amended by Rev. Stat.,  
c. 29, s. 3,  
amended,  
adding thereto the following subsection:

(22) Every finance company shall pay,—

Tax  
on finance  
company.

(a) a tax of one-tenth of one per centum of the paid-up capital thereof;

(b) an additional tax of \$500 for the principal office in Ontario.

**4.** Section 12 of *The Corporations Tax Act* is amended by Rev. Stat.,  
c. 29, s. 12,  
amended.  
inserting after the word "Ontario" in the sixth line the words "except where the shares or certificates are issued without designated monetary value in which case the tax shall be three cents for every one hundred dollars or fraction thereof of the market value of such shares," so that the section will now read as follows:

**12.** There shall be levied a tax of three cents, payable by Stamp tax  
on transfer of  
securities of  
corporation.  
the transferor in money or stamps, for every \$100 or

fraction

fraction thereof of the par value upon every change of ownership consequent upon the sale, transfer or assignment of shares, or debenture stock issued by any corporation or company made or carried into effect in Ontario, except where the shares or certificates are issued without designated monetary value in which case the tax shall be three cents for every one hundred dollars or fraction thereof of the market value of such shares; but the first delivery by the corporation or company of such shares, or debenture stock, in order to effect an issue, shall not be subject to the tax imposed by this section.

Rev. Stat.,  
c. 29, s. 16,  
amended.

**5.** Section 16 of *The Corporations Tax Act* is amended by striking out the word "three" in the first line and inserting in lieu thereof the word "four."

Rev. Stat.,  
c. 29, s. 24,  
subs. 5,  
amended.

**6.** Subsection 5 of section 24 of *The Corporations Tax Act* is amended by striking out all the words after the word "corporation" in the third line, so that the subsection will now read as follows:

Payment  
of balance.

(5) The balance remaining at the credit of each municipal corporation after deducting such charge shall be forthwith paid by the Treasurer to the corporation.

Commence-  
ment of  
Act.

**7.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 7.

An Act to appropriate \$10,000,000 for  
Northern Development Purposes.*Assented to 3rd April, 1930.*

**H**IS MAJESTY, by and with the advice and consent of the  
Legislative Assembly of the Province of Ontario, enacts  
as follows:—

**1.** This Act may be cited as *The Northern Ontario Appropriation Act, 1930*. Short title.

**2.** In addition to the amounts provided by The Northern Ontario Appropriation Acts, heretofore enacted, there shall be set apart out of the Consolidated Revenue Fund the sum of \$10,000,000, and the same shall be applied for the purposes set out in *The Northern Development Act* and in *The Returned Soldiers' and Sailors' Land Settlement Acts*, or any of them. Additional appropriation of \$10,000,000  
Rev. Stat.,  
c. 36, 1917,  
c. 13, 1919,  
c. 15.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent. Commence-  
ment of Act.

## CHAPTER 8.

## An Act to amend The Mining Act.

*Assented to 3rd April, 1930.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

- Short title.      **1.** This Act may be cited as *The Mining Act, 1930*.
- Rev. Stat.,  
c. 45, s. 1,  
cl. *g*,  
repealed.      **2.** The clause lettered *g* in section 1 of *The Mining Act* is repealed.
- Rev. Stat.,  
c. 45, s. 36,  
amended.      **3.** Section 36 of *The Mining Act* is amended by striking out the word "and" in the eighth line and inserting in lieu thereof the word "not."
- Rev. Stat.,  
c. 45, s. 39,  
amended.      **4.** Section 39 of *The Mining Act* is amended by adding thereto the following clause:
- (e) Lands in an Indian Reserve, except as provided by *The Indian Lands Act, 1924*, being 14 George V, chapter 15.
- Rev. Stat.,  
c. 45, s. 40,  
subs. 1,  
amended.      **5.**—(1) Subsection 1 of section 40 of *The Mining Act* is amended by inserting after the word "minerals" in the third line, the words "or stake out a mining claim."
- Rev. Stat.,  
c. 45, s. 40,  
subs. 2,  
amended.      (2) Subsection 2 of the said section 40 is amended by adding after the word "prospecting" in the third line, the words "or staking out."
- Rev. Stat.,  
c. 45, s. 103,  
subs. 1,  
repealed.      **6.** Subsection 1 of section 103 of *The Mining Act* is repealed and the following substituted therefor:
- Conditions  
of patent,—  
ores to be  
treated in  
Canada.      (1) All lands, claims, or mining rights leased, patented, or otherwise disposed of under this Act on or after the 12th day of April, 1917, shall be subject to the condition that all ores or minerals raised or removed therefrom shall be treated and refined within the Dominion of Canada, so as to yield refined metal or

other

other product suitable for direct use in the arts without further treatment, in default whereof the Lieutenant-Governor in Council may declare the lease, patent or other form of title of such lands, claims or mining rights to be null and void, and the Order-in-Council so declaring shall be registered in the office of the local master of titles or registry office as the case may be, whereupon the said lands, claims or mining rights shall revert to and become vested in His Majesty, His Heirs and Successors, freed and discharged of any interest or claim of any other person or persons whomsoever.

7. Part VIII of *The Mining Act*, containing sections 153 to 174, as amended by section 3 of *The Mining Act, 1928*,<sup>Rev. Stat. c. 45, Part VIII., repealed.</sup> and sections 4, 5 and 6 of *The Mining Act, 1929*, is repealed, and the following substituted therefor:

## PART VIII—OPERATION OF MINES.

### REGULATIONS.

153.—(1) In this Part,—

- (a) "Authorized" shall mean properly authorized to perform any specified duty or to do any specified act, and "qualified" shall mean properly qualified to perform any specified duty or do any specified act; Interpretation.  
"Authorized,"  
"Qualified."
- (b) "Chief Inspector" shall mean Chief Inspector of Mines for Ontario, and "Inspector" shall mean an Inspector of Mines for Ontario; "Chief Inspector,"  
"Inspector."
- (c) "Manager" shall mean the person responsible for the control, management and direction of a mine or works; "Manager."
- (d) "Owner" when used in Parts VIII and IX of this Act shall include every person, mining partnership, and company being the immediate proprietor or lessee or occupier of a mine, or of any part thereof, or of any land located, patented or leased as mining lands but shall not include a person, or a mining partnership or company receiving merely a royalty, rent or fine from a mine or mining lands, or being merely the proprietor of a mine or mining lands subject to a lease, grant or other authority for the working thereof, or the owner of the surface rights and not of the ore or minerals; "Owner."

Responsi-  
bility as to  
qualifica-  
tions.

- (2) Subject to the requirements of this Act, and except as otherwise herein provided, responsibility for the authorization and decisions as to the qualifications of the employees shall rest with the employer or his agent. R.S.O. 1927, c. 45, s. 153, *amended*.

*Employment in and about Mines.*

Restrictions  
on employ-  
ment of  
children.

- 154.—(1) No male person under the age of sixteen years shall be employed in or about any mine, and no male person under the age of eighteen years shall be employed below ground in any mine. R.S.O. 1927, c. 45, s. 154.

Girls and  
women.

- (2) No girl or woman shall be employed in or about any mine except in a technical, clerical or domestic capacity.

Rescue  
stations.

- 155.—(1) There shall be provided and maintained mine rescue stations at such points in the Province as the Minister may direct and each of such stations shall be equipped and kept in such manner as may be directed by the Chief Inspector.

Workmen's  
Compensa-  
tion Board  
to provide  
funds.

- (2) The Workmen's Compensation Board of Ontario shall provide the funds necessary for the establishment, equipment and maintenance of each of such rescue stations at the expense of the mining industry and such funds shall be payable out of moneys assessed and collected from time to time from the mining industry.

Person or  
persons in  
charge to  
train rescue  
crews.

- (3) Each rescue station and its equipment shall be in charge of such person or persons as may be designated and appointed by the Chief Inspector and it shall be the duty of such person or persons to teach and train mine rescue crews in the use and maintenance of the apparatus and to maintain the apparatus in efficient and workable condition so as to be always available for immediate use.

Duty of  
owner,  
agent and  
manager as  
to training  
of rescue  
crews.

- (4) It shall be the duty of the owner, agent and manager of every mine to cause such number of workmen as the Inspector shall deem necessary, to be trained in the use and maintenance of rescue apparatus.

Hours of  
labour  
under-  
ground.

- 156.—(1) No workman shall remain or be allowed to remain underground in any mine for more than eight hours in any consecutive twenty-four hours, which eight hours shall be reckoned from the time he arrives at his place of work in the mine until the time he leaves such place, provided however, that,

(a)



- (a) a Saturday shift may work longer hours for <sup>Proviso.</sup> the purpose of avoiding work on Sunday or changing shift at the end of the week or giving any of the men a part holiday;
- (b) the said limit of time shall not apply to a foreman, pump man, cage-tender, or any person engaged solely in surveying or measuring, nor shall it apply in cases of emergency, where life or property is in imminent danger, or in any case of repair work or to any mine where the number of men working in a shift does not exceed six. R.S.O. 1927, c. 45, s. 156 (1).
- (2) No person shall operate or be permitted to operate, <sup>Hours of operator of hoisting engine.</sup> either on the surface or underground, any hoisting engine by means of which persons or material are hoisted, lowered or handled in any shaft or winze, for more than eight hours in any consecutive twenty-four hours, except,—
- (a) that in the event of one of the regular hoistmen being absent from duty through sickness or otherwise and where no competent substitute is available the remaining hoistman or hoistmen may work extra time not exceeding four hours each in any consecutive twenty-four hours for a period not exceeding ten days; <sup>Absence of hoistman.</sup>
- (b) that in any case where the work at any mine <sup>Less than three shifts per day.</sup> or in any shaft or winze at any mine is not carried out continuously on three shifts per day, in which case the hoistman may work such extra time as may be necessary for hoisting or lowering the workmen employed on the shift at the beginning and end of each shift;
- (c) in the cases provided for in clauses *a* and *b* <sup>Saturday shift, emergencies.</sup> of subsection 1.
- (3) In this section,— <sup>Interpretation.</sup>
- (a) "Workman" shall mean any person employed underground in a mine who is not the owner or agent or an official of the mine; <sup>Workman."</sup>
- (b) "Shift" shall mean any body of workmen whose <sup>"Shift."</sup> hours for beginning and terminating work in the mine are the same or approximately the same,

Certificate  
of inspector.

and where any question or dispute arises as to the meaning or application of clause (b) of subsection 1, or as to the meaning of "workman," "shift," or "underground," the certificate of the Inspector shall be conclusive.

Application  
of sections  
as to  
penalties.

- (4) For greater certainty it is hereby declared that sections 178, 179 and 180 of this Act shall apply to contraventions of this section; provided, however, that a workman shall not be guilty of an offence for failure to return to the surface within the time limited by this section if he proves that without fault on his part he was prevented from returning owing to means not being available for the purpose.

Suspension  
of operation  
of section.

- (5) In the event of great emergency or grave economic disturbance, the Lieutenant-Governor in Council may suspend the operation of this section to such an extent and for such period as he deems fit; or as regards any iron mine, the Lieutenant-Governor in Council may upon the recommendation of the Minister, in like manner suspend the operation of this section in so far as such mine is concerned. R.S.O. 1927, c. 45, s. 156 (2-5).

Commence-  
ment of  
section.

- (6) This section shall have effect and shall be deemed to have had effect from the 1st day of January, 1914, in all parts of the Province without county organization, and as to the remaining parts of the Province this section shall come into force and have effect at such time as may be named by the Lieutenant-Governor by his Proclamation. R.S.O. 1927, c. 45, s. 156 (6), *amended*.

Age limit,  
hoistmen,  
handling  
men.

- 157.—(1) No person under the age of twenty years and no person who has not had adequate experience on a reversing hoist shall be allowed to have charge of any hoisting engine by means of which persons are hoisted, lowered or handled in a shaft or winze at any time.

Age limit.

- (2) No person under the age of eighteen years shall be allowed to have charge of any hoisting engine or hoisting apparatus of any kind at a mine. R.S.O. 1927, c. 45, s. 157 (1, 2).

Hoistman to  
be holder of  
medical  
certificate.

- (3) No person shall operate or be permitted to operate any hoisting engine used in raising or lowering persons, or for any other purpose designated by the Inspector, unless such person is the holder of a subsisting certificate from a duly qualified medical

practitioner

practitioner to the effect that such person has been examined and that he is not subject to any infirmity, mental or bodily, or that his sight or hearing are not defective to such a degree as to interfere with the efficient discharge of his duties.

- (a) Every such certificate shall lapse and be deemed to have expired at the end of one year from the date thereof.

158.—(1) Every workman employed underground in any mine shall be examined by a medical officer appointed under the provisions of *The Workmen's Compensation Act* relating to silicosis at least once in every twelve months, and every applicant for underground work to whom the certificate mentioned in subsection 2 has not been issued shall be so examined.

Examination for presence of silicosis, Rev. Stat., c. 179.

- (2) If the medical officer finds upon examination that the workman is free from tuberculosis of the respiratory organs, he shall certify in the prescribed form that such is the case, and shall deliver the certificate to the workman.
- Medical certificate.

- (3) Every such certificate shall remain in force for not more than twelve months from the date of issue, and if so required by the manager or superintendent of the mine in which the workman is employed, it shall be delivered to and remain in the custody of such manager or superintendent during the period of the workman's employment, and shall be returned to him on his being discharged from or leaving the same.
- Term of certificate

- (4) A like certificate shall be required in the case of a workman engaged in any ore or rock-crushing operation at the surface of the mine except where the ore or rock is crushed in water or a chemical solution and is kept constantly in a moistened or wet condition.
- Ore or rock crushing operations at surface.

- (5) Except as provided in subsection 4 a workman as to whom such a certificate is not in force shall not be employed in underground work in any mine or in ore or rock-crushing operations at the surface of any mine.

- (6) The Chief Inspector may exempt from the foregoing provisions of this section such mines as do not contain silica in quantity likely to produce silicosis, or which for any other good and sufficient reason the
- Exemptions.

said Chief Inspector deems should be exempt, nor shall such provisions apply to workmen employed underground for a less period than fifty hours in any one calendar month.

Regulations.

- (7) The Lieutenant-Governor in Council may make regulations prescribing the nature of the medical examination to be made and the form of certificate to be issued under the foregoing provisions of this section and generally for the better carrying out of the requirements of this section. 1928, c. 16, s. 3.

Penalty for employment of persons contrary to Act.

159. Where a contravention of sections 154, 156 or 157 takes place, the owner or agent of the mine, or both of them, may be proceeded against, jointly or separately, and may be convicted of such offence, but neither the owner nor the agent shall be so convicted if he proves that the offence was committed without his knowledge or consent, and that he had caused notices of the said sections to be posted up, and to be kept posted up, at some conspicuous place at or near the entrance to the mining work.

Fencing of abandoned or unworked mines.

- 160.—(1) Where a mine has been abandoned or the work therein has been discontinued, the owner or lessee thereof or any other person interested in the mineral of the mine shall cause the top of the shaft and all entrances from the surface as well as all other pits and openings dangerous by reason of their depth, to be and to be kept securely fenced to the satisfaction of the Inspector.

Failure to erect fence after notice.

- (2) Every such person who, after notice in writing from the Inspector fails to comply with his directions as to such fencing within the time named in the notice shall be guilty of an offence against this Act.

When Inspector may erect

- (3) Where the Inspector finds that any such fencing is required in order to avoid danger to health or property he may cause the work to be done and may pay the costs incurred out of any moneys provided for the purposes of this Act, and the amount of such costs, with interest thereon, shall be a lien and charge upon the mine or mining work, and no further transfer or other dealings with the mine or mining work shall take place until such amount is paid.

Recovery of costs of work.

- (4) The amount of such costs with interest thereon shall be due from the owner or lessee to the Crown and recoverable at the suit of the Inspector in any court of competent jurisdiction. R.S.O. 1927, c. 45, s. 159.

*Inquest to be held in Case of Fatality.*

- 161.—(1) The coroner who resides nearest to a mine wherein or in connection wherewith any fatal accident has occurred, shall forthwith conduct an inquest; but if he is in any way in the employment of the owner or lessee of the mine he shall be ineligible to act as coroner, and any other coroner shall, upon application by any person interested, forthwith issue his warrant and conduct such inquest, and this section shall be his authority for so doing whether his commission extends to such territory or not. Coroner to hold inquest in case of fatality in a mine.
- (2) The Inspector and any person authorized to act on his behalf shall be entitled to be present and to examine or cross-examine any witness at every inquest held concerning a death caused by an accident at a mine, and if the Inspector or someone on his behalf is not present, the coroner shall, before proceeding with the evidence adjourn the inquest and give the Deputy Minister not less than four days' notice of the time and place at which the evidence is to be taken. R.S.O. 1927, c. 45, s. 160. Right of the inspector or his representatives to be present at inquest.

RULES.

*Rules for Protection of Miners.*

- 162.—(1) Where the owner, agent or manager of a mine by his application in writing stating his reasons therefor, requests the Inspector to suspend the requirements of any rule under section 163 as to such mine, the Inspector may in writing direct that the requirements of such rule shall not apply to such mine, or may in writing direct that such rule shall not apply so long as such limitations and conditions as he may see fit to impose, are observed or complied with. Suspension of rule.
- (2) The Chief Inspector may at any time cancel any order made under subsection 1, or make such alterations therein as he may deem proper in view of any change in the conditions under which such order was made or upon it appearing to him that such change, for any other cause, is advisable. Cancellation of suspension.
- (3) The manager of a mine may make rules not inconsistent with any rule herein set out, or any special direction made by an Inspector as hereinbefore Manager of mine may make rules.

provided,

provided, for the maintenance of order and discipline and the prevention of accidents in the mine, and may submit any rule so made to the Chief Inspector, who shall lay the same before the Minister for his approval, and upon such approval being given the rules shall take effect after they have been posted up in a conspicuous place at the mine for at least fourteen days, provided that the Minister may disallow any of such rules or direct such changes to be made in them as he may deem proper.

- (a) Every such rule after approval and when and so long as it is posted up and is legible shall have the same force and effect as the rules and regulations set out in this Act and any person who contravenes any such rule shall incur the penalty provided for a breach of the rules and regulations contained in this Act.

Responsibility as to carrying out rules.

- (4) Except as to any rules which the Inspector has directed shall not be applicable thereto, the manager of the mine shall take all necessary and reasonable measures to enforce the requirements of the rules set forth in section 163 and to ensure that they are observed by every employee of the mine, and every foreman, mine captain, shift boss and department head shall take all necessary and reasonable measures to enforce the requirements of all such rules as are applicable to the work over which he has supervision and to ensure that the same are observed by the workmen under his charge or direction. Every person through whose neglect or wrongful act a contravention shall occur shall be deemed to have incurred the penalties provided for a breach of the rules.

Liability of contractors and sub-contractors.

- (5) Where work in or about a mine is let to a contractor or sub-contractor, he shall comply and enforce compliance with all the rules and provisions of this Part pertaining to the work over which he has control and shall in any case of noncompliance therewith be guilty of an offence and punishable in like manner as if he were owner or agent.

Duty as to knowledge of rules.

163. Subject to the provisions of section 162, the following rules shall be observed and carried out at every mine:

- (1) It shall be the duty of every manager, superintendent, mine captain, shift boss and every person in charge of workmen or who handles explosives or who

operates



operates machinery or electrical apparatus in or about a mine, to know such of these rules as apply to the work in which he is engaged.

- (2) Every person employed as an underground foreman, meaning thereby one who is exclusively engaged in supervising the work of other men, shall be able to give and to receive and understand orders in the English language. Underground foreman to be able to speak English.
- (3) The Inspector shall have the right to suspend any foreman or mine captain who is unfamiliar with, or does not understand the rules governing the operation of mines as contained in this Act. Suspension for unfamiliarity with rules.

### *Fire Protection.*

- (4) No inflammable refuse shall be allowed to accumulate underground, but shall be removed from the workings at least once a week and brought to the surface and there disposed of in a suitable manner. Removal of inflammable material.
- (5) Every shift boss and mine captain shall certify in writing to the mine manager at least once a week that there is no accumulation of inflammable refuse underground in the area under his supervision except as reported by him. Certificate as to amount of inflammable material.
- (6) Oil and grease kept underground shall be contained in suitable metal receptacles and the amount so kept shall not exceed the requirements for seven days. Oil and grease.
- (7) All timber not in use in a mine shall as soon as practicable be taken from the mine and shall not be piled up and permitted to decay therein. Timber.
- (8) All underground buildings or enclosures necessary for the housing and maintenance of machinery and equipment shall be so constructed as to reduce the fire hazard to a minimum. Underground buildings to fire-proofed.
- (9) Calcium carbide shall be stored on the surface only, in a suitable dry place and in its original container. It shall only be taken into a change house or shaft house in sufficient quantity for the day's use, and such precautions shall be taken as will ensure its being safely handled. No carbide shall be taken underground except in suitable containers. Storage of carbide.
- (10) Suitable fire-fighting appliances shall be installed at all underground crushers, tipples and in dry shafts. Fire-fighting appliances.

Escapement  
shafts.

- (11) In every mine where a vertical or inclined shaft has been sunk to a greater depth than 100 feet and lateral workings have been extended for a distance of 200 feet or more from the shaft and stoping has commenced there shall be provided and maintained, in addition to the hoisting shaft or the opening through which men are let into or out of the mine and the ore is extracted, a separate escapement shaft or opening. Such auxiliary exit shall not be less than fifty feet from the main hoisting shaft. Any structure covering such auxiliary exit shall be of such material and so constructed as to reduce the fire hazard to a minimum. If such an escapement shaft or opening is not in existence at the time that stoping is commenced, work upon it shall be begun as soon as stoping is commenced and shall be diligently prosecuted until the same is completed and means of escapement other than the main shaft shall be provided to and connected with the lowest level on which stoping operations are being carried on. The escapement shaft or opening shall be of sufficient size to afford an easy passageway, and shall be provided with good and substantial ladders from the deepest workings to the surface. With the exception of any erection used solely as a shaft house, no permanent building, for any purpose, shall be erected within fifty feet of the mouth of a mine, unless there is such an auxiliary exit.

Legible signs  
showing  
exits.

- (12) Legible signs showing the way to emergency exits shall be posted in prominent places underground and all workmen shall be instructed as to the location of auxiliary exits.

Equipment  
for warning  
workmen  
under-  
ground.

- (13) Every mine producing over one hundred tons of ore per day shall be equipped with a suitable apparatus for giving a warning signal to the men underground. Until such time as the Chief Inspector shall direct otherwise an approved apparatus for the introduction of ethyl mercaptan into the compressed air line shall be made available and kept ready for instant use for the foregoing purpose.

Installation  
of boilers.

- (14) No boiler shall be installed within one hundred feet of the collar of any shaft.

Fire doors.

- (15) Where practicable, there shall be a sufficient number of fire doors installed underground in every mine to cut off the shaft from the other workings of the mine.

- (16) Where the Chief Inspector deems it necessary or advisable for the protection of workmen employed underground, he may order refuge stations to be provided and maintained at such places within the mine as he may direct and every such refuge station shall have water, air and telephone connections to the surface and be separated from the adjoining workings by closeable openings so arranged and equipped that gases can be prevented from entering the refuge station. Refuge stations within mines.
- (17) (a) Where the Chief Inspector deems it necessary or advisable for the protection of workmen employed underground he may recommend in writing, to the Minister, that a connection between mines be established at such place as he deems advisable and he may further recommend that such connection be so made and equipped as to constitute a refuge station or refuge stations. Upon the approval by the Minister of any such recommendation a copy thereof, accompanied by a copy of this regulation shall be served personally upon or mailed by registered post to the owner or the agent and the manager of each of the mines affected. Connection between mines.
- (b) Upon the approval of any such recommendation of the Chief Inspector the Minister may in writing signed by him appoint a committee of three persons who shall determine,—
- the design, specifications and locations of the connecting passages, bulkheads or other structures to be constructed in order to safeguard the present and future operations of the mines affected;
  - the work to be done by each of the mines affected and the proportion in which the cost of such work and of establishing and maintaining the connection shall be borne by the owners of the mines affected;
  - the time at which such work in compliance herewith shall be commenced and completed;
  - the proportion in which the costs and expenses of the committee shall be borne by the owners of the mines affected;

such other provisions or requirements as in the premises they may deem necessary or advisable.

- (c) The committee shall submit a report in writing to the Minister and a report of the majority of the committee shall be deemed to be the finding of the committee.
- (d) Upon the approval by the Minister of the report of the committee the Chief Inspector may issue his order for the establishment and maintenance of such connection and refuge station or stations (if any recommended) in accordance with the terms of such report. A copy of the report shall be attached to the order and form a part thereof. No such order shall be subject to appeal upon any ground whatsoever but shall be enforceable in the same manner as any order of the Chief Inspector.

*Aid to Injured.*

Stretchers  
for con-  
veyance of  
injured  
persons.

- (18) At every mine there shall be maintained a sufficient number of properly constructed stretchers for the proper handling and transporting of persons who may be injured in the discharge of their duties about the mine.

Supplies for  
first aid.

- (19) There shall be provided and maintained at every mine for the treatment of anyone injured such first aid supplies as are required by the regulations of *The Workmen's Compensation Act*.

Rev. Stat.,  
c. 179.

Antidotes  
and washes.

- (20) At every mine or works where poisonous or dangerous compounds, solutions or gases are used or produced there shall be kept in a conspicuous place as near the same as practicable, a sufficient supply of satisfactory antidotes and washes for treating injuries received from such compounds, solutions or gases. Such antidotes and washes shall be properly labelled, and explicit directions for their use affixed to the boxes containing them.

*Prevention of Dust.*

Removal of  
dust.

- (21) In every mill or plant where, by reason of dry crushing or otherwise, there is in the air of the building dust in quantity to be injurious to health, suitable apparatus shall be installed for its removal.

*Handling Water.*

- (22) Every working mine shall be provided with suitable and efficient machinery and appliances for keeping the mine free from water, the accumulation or flowing of which might endanger the lives of workmen in such mine or in any adjoining mine. Safety from water.
- (23) Where there is or may be an accumulation of water any working approaching the same shall have bore holes kept in advance, and such additional precautionary measures shall be taken as may be deemed necessary to obviate the danger of a sudden breaking through of the water. Bore holes necessary when approaching places likely to contain dangerous amount of water.
- (24) Every dam or bulkhead and its location shall be clearly shown on the mine plan, and in the design of every such dam or bulkhead the calculations shall be based on a factor of safety of ten and the structure erected in accordance with such calculations. Dams and bulkheads.
- (a) No such dam or bulkhead shall be erected without the permission of the Inspector being first had and obtained.
- (b) This rule shall not apply in the case of a small structure less than three feet in height used solely for diverting the ordinary level drainage and which does not impound any appreciable volume of water.

*Ventilation.*

- (25) The ventilation in every mine shall be such that the air in all of its workings that are in use or are to be used by workmen or others shall be free from dangerous amounts of noxious impurities and shall contain sufficient oxygen to obviate danger to the health of anyone employed in any such mine. In any mine workings where such conditions cannot be obtained by natural ventilation approved means for mechanical ventilation shall be provided and kept in operation until such workings have been abandoned or until satisfactory natural ventilation shall have been brought about therein. Ventilation.
- (26) All fans except auxiliary fans shall be above ground and shall be reversible and all fans and structures containing the same shall be fireproof. Fans.
- (27) No internal combustion engine shall be installed or operated underground in any mine. Internal combustion engine.

*Sanitation.*

Sanitary  
conveni-  
ences.

- (28) The manager of a mine shall provide or cause to be provided on the surface and in the underground workings sufficient and suitable sanitary conveniences in accordance with the following rules:
- (a) Where the number of persons employed on any shift does not exceed one hundred there shall be one sanitary convenience for every twenty-five persons or portion thereof;
  - (b) Where the number of persons so employed exceeds one hundred there shall be one additional sanitary convenience for every fifty persons or portion thereof over the first hundred.
- (29) These sanitary conveniences must be kept in a cleanly manner; must be adequately supplied with chloride of lime, sawdust, fine ash or other suitable absorbent; must be removed and cleaned regularly; must be conveniently placed with reference to the number of men employed on the different levels; and must be placed in a well-ventilated part of the mine.
- (30) Any person depositing faeces in any place underground other than in the sanitary conveniences provided, shall be guilty of an offence against this Act.

Dressing  
room.

- (31) If more than ten persons to each shift are ordinarily employed in the mine below ground, sufficient accommodation, including supplies of clean cold and warm water for washing, shall be provided above ground near the principal entrance of the mine, and not in the engine room, boiler room, or nearer than fifty feet to the shaft house, for enabling the persons employed in the mine to conveniently dry and change their clothes.

*Care and Use of Explosives.*

Marking  
strength on  
original  
packages of  
explosives.

- (32) No explosive shall be used at any mine, unless there is plainly printed or marked on every original package containing such explosive the name and place of business of the manufacturer, and the strength, and the date of its manufacture. Every case of supposed defective fuse, detonator or powder shall be reported to the Inspector with the name



of the manufacturer and the serial number of the package from which such fuse, detonator, or powder was taken. <sup>Defective explosives to be reported.</sup>

- (33) Except as otherwise provided herein, all explosives shall be stored in special suitable buildings, such as magazines, thaw houses, detonator storage buildings or cap and fuse houses. <sup>Storage of explosives.</sup>
- (a) No such building shall be erected or maintained at any mine except with the written permission of an Inspector, nor until the site of the building and the style of structure has been approved by him.
  - (b) Where possible, every such building shall be located in accordance with the British Table of Distances in respect of its distance from the mine or works or any other buildings or any public highway or public railway. Where conditions are such that it is impossible to locate such buildings in accordance with the British Table of Distances, the mine manager and the Inspector shall jointly choose the most suitable location.
  - (c) Every such building shall be constructed of materials to insure as far as possible against accident from any cause.
  - (d) The rules in reference to the care and use of explosives shall be kept posted up inside every such building.
  - (e) Every such building shall be kept securely locked at all such times as the attendant is not present and it shall be clearly indicated by some easily visible sign posted outside the building that explosives are stored therein.
- (34) Magazines, thaw houses, cap and fuse houses and explosives storage boxes shall at all times be kept clean and dry and free from grit. <sup>Magazines, thaw houses, etc.</sup>
- (35) Floors and shelves shall be washed at such regular intervals and with such materials as shall be approved by an Inspector and all traces of explosives shall be removed from floors and shelves. <sup>Floors and shelves.</sup>

What explosives to be used first.

- (36) When supplies of explosives are removed from a magazine those that have been longest in the magazine shall be used first provided they are not defective. In all cases where explosives have become defective they shall be suitably and safely disposed of.

Opening cases.

- (37) Only implements of wood, brass or copper shall be used in opening cases containing explosives.

Amount of explosives to be stored underground.

- (38) Explosives shall not be stored underground in any mine to an amount in excess of the necessary supply for twenty-four hours and in no case exceeding three hundred pounds in any one place, except with the written permission of an Inspector and subject to such conditions as he may prescribe.

Storage of explosives.

- (39) No explosive shall be stored within two hundred feet of any shaft station, or transformer station underground in any mine.

Storage of detonators.

- (40) Detonators shall not be stored in the same receptacle or storage building as other explosives.

Naked light.

- (41) No naked light shall be taken into any building or place where explosives are stored or within ten feet of any place underground where explosives are stored and no person shall smoke in any building or place where explosives are stored or while handling explosives.

Smoking.

Inspection of stores of explosives in a mine.

- (42) (a) The manager, captain or some other properly authorized person or persons shall make a thorough daily inspection of the condition of the explosives in or about the mine and shall make an immediate investigation when an act of careless placing or handling of explosives is discovered by or reported to him.
- (b) Any employee who commits a careless act with an explosive or where explosives are stored, or who, having discovered such an act to have been committed, omits or neglects to report immediately such act to an officer in charge of the mine, shall be guilty of an offence against this Act and the officer in charge of the mine shall immediately report such offence to the Inspector or to the Crown Attorney of the county or district in which the mine is situate.

Explosives not to be stored in closed mine.

- (43) When any mine is closed down all explosives shall be disposed of and no explosive may be stored in any such closed-down mine without permission of an Inspector.

- (44) No person shall take away from a mine any explosive without the written permission of the manager or of such person as may be authorized by the manager to give such permission. Explosives must not be moved from mine except by written permission of manager.
- (45) No building for thawing explosives shall be maintained in connection with any mine except with the written permission of an Inspector. The building shall be above ground, unless exemption obtained under the provisions of subsections 1 and 2 of section 162 direct otherwise, and the site of the building and the style of structure and equipment shall be subject to the approval of the Inspector. The building shall be under the direction of the manager or some person authorized by him. The quantity of explosives brought into any thawing house at any one time shall not exceed the requirements of the mine for a period of twenty-four hours, plus the amount that it may be necessary to have thawing to maintain that supply. Thawing houses.
- (46) A reliable recording thermometer shall be kept in the room in which explosives are thawed and the record thereof kept, but where the amount of explosives in such thawing room does not exceed two hundred pounds at any one time, the Inspector may give permission, in writing, to use a maximum and minimum registering thermometer on condition that a daily record of high and low temperature be made and kept on file. Thermometer necessary.
- (47) In no case shall powder be thawed near an open fire or steam boiler or by direct contact with steam or hot water. Thawing near open fire or steam boilers forbidden.
- (48) All electric wiring in powder magazines and thaws shall be installed in rigid conduit with screwed, waterproof joints, and such conduit shall be permanently grounded. Wiring in powder magazines and thaws.
- (49) The switches and fuses for lighting, heating or telephone circuits for powder magazines or thaws shall be installed in a locked fireproof cabinet on the outside of the building. The fuses for power used shall be such that they will interrupt the current at twenty-five per centum over the normal load. Fuses for lighting circuits shall not exceed 10-ampere capacity. Switches to be outside of powder magazines and thaws.
- (50) Where water is the medium used for the distribution of electrically generated heat for powder thaws the Electric heating of powder thaws.

radiation pipes shall be permanently grounded. No electrical device for generating heat shall be allowed in the same compartment with explosives. Wire or grid-type heaters shall not be installed in conjunction with any building in which explosives are stored or handled.

Handling  
explosives.

- (51) Every possible precaution shall be taken in the handling and transportation of explosives.

Explosives  
to be raised  
or lowered  
gently.

- (52) The hoistman shall gently lower or raise the cage or other conveyance containing explosives. No person shall place in or take out of the shaft conveyance any explosives except under the immediate supervision of the person authorized by the manager, mine captain or shift boss.

Explosives  
to be left  
only in  
authorized  
places at  
stations.

- (53) No person authorized to distribute explosives shall leave the same except at a place duly provided therefor under the terms of this Act or with some other person authorized to take charge of the same.

Transporta-  
tion of  
detonators.

- (54) Detonators shall not be transported in any shaft conveyance with any other explosive unless placed in a separate suitable container.

Blasting on  
contiguous  
claims.

- (55) Where parties working contiguous or adjacent claims or mines disagree as to the time of setting off blasts, either party may appeal to the Inspector, who shall decide upon the time at which blasting operations thereon may be performed, and the decision of the Inspector shall be final and conclusive and shall be observed by them in future blasting operations.

Explosives  
not to be re-  
moved from  
original con-  
tainer.

- (56) No explosive shall be removed from its original paper container or cartridge.

Blasting of  
roast heaps.

- (57) No explosive shall be used to blast or break up ore, salamander or other material where by reason of its heated condition there is any danger or risk of premature explosion of the charge.

Size of  
drill holes.

- (58) All drill holes, whether sunk by hand or machine drills shall be of sufficient size to admit of the free insertion to the bottom of the hole of a stick or cartridge of powder, dynamite or other explosive, without ramming, pounding or pressure.

No iron or  
steel to be  
used in  
charging  
holes.

- (59) In charging holes for blasting, no iron or steel tool or rod shall be used, and no iron or steel shall be used

in any hole containing explosives, and no drilling shall be done in any hole that has been charged or blasted.

- (60) Every workman shall, before blasting, give or cause <sup>Due warning required.</sup> to be given due warning in every direction by shouting "Fire," and shall satisfy himself that all persons have left the working place except those required to assist him in blasting.
- (61) Every workman shall, before blasting, cause all <sup>Guarding entrances to places where blasting is to be done.</sup> entrances to the place or places where such blasting is to be done or where the safety of persons may be endangered by such blasting, to be effectively guarded, so as to prevent inadvertent access to such place or places while such charges are being blasted.
- (62) Except where fired electrically no fuse shorter than <sup>Fuse.</sup> three feet shall be used in any blasting operation. In the case of a supposedly missed hole no person shall return to the place of blasting within thirty minutes of the time of lighting the fuse. In a working place where more than two shots have been fired, no person shall return to the scene of a blast within the number of minutes which are equal to twice the number of feet in the longest fuse used in the blasting operation at hand.
- (63) In no case shall a workman light the fuse without <sup>Second light necessary.</sup> having a second light placed conveniently close.
- (64) When a workman fires a round of holes he shall, where possible, count the number of shots exploding. <sup>Reporting of missed holes.</sup> If there is any report missing, he shall report the same to the mine captain or shift boss. If a missed hole has not been fired at the end of a shift, that fact, together with the location of the hole, shall be reported by the mine captain or shift boss to the mine captain or shift boss in charge of the next relay of workmen going into that working place before work is commenced by them.
- (65) A charge which has missed fire shall not be with- <sup>Charge missing fire to be blasted.</sup> drawn, but shall be blasted and no drilling shall be done within a distance at any point of five feet of a missed or cut-off hole containing explosive until it has been blasted.
- (66) No development heading shall be abandoned or <sup>Examination for missed or cut-off hole.</sup> work therein discontinued until the material broken at the firing of the last round shall have been cleared from the face and the whole face of the heading examined for explosives in missed or cut-off holes.

When blasting to be done by electric current.

- (67) After the first ten feet advance has been made in any shaft or winze, and after fifty feet advance has been made in any raise inclined at over fifty degrees from the horizontal, all blasting shall be done by means of an electric current.

Electric current to be disconnected after blasting.

- (68) A workman shall not, where blasting takes place by electricity, enter or allow other persons to enter the place or places where the charges have been fired until he has disconnected the cables from the blasting battery or other source of current.

Restrictions on use of electricity for shot firing.

- (69) (a) Electricity from lighting or power cables shall not be used for firing shots except when a special firing device which automatically opens the circuit by gravity is provided. The live side of such device shall be installed in a fixed locked box and shall be accessible only to the authorized shot firer.

- (b) One such device shall be maintained for each individual working place in which firing is done by means of electricity from lighting or power cables.

Connection and disconnection.

- (70) The firing cables or wires shall not be connected to the firing device until immediately before they are required for the firing of shots, and shall be disconnected immediately after the shots are fired.

Firing cables.

- (71) The firing cables or wires used for firing shots at one working place shall not be used for firing shots in another working place until all proper precautions have been taken to insure that such firing cables or wires have not any electrical connection with the leads from the first working place.

Precautions in using shot-firing cables.

- (72) When shot-firing cables or wires are used in the vicinity of power or lighting cables, sufficient precautions shall be taken to prevent the shot-firing cables or wires coming in contact with the lighting or power cables.

*Protection in Working Places, Shafts, Winzes, Raises, etc.*

Fencing of shafts and other openings.

- (73) The top of every shaft shall be securely fenced or protected by a gate or guard rail, and every pit or opening dangerous by reason of its depth shall be securely fenced or otherwise protected.

Guard rail at shaft and winze openings.

- (74) (a) At all shaft and winze openings on the surface and on every level, unless securely boarded off, a gate not less than four feet in height or a substantial

guard

guard rail not less than three feet or more than four feet above the floor shall be provided and kept in place except when the cage, skip or bucket is being loaded or unloaded at such level, provided that when a guard rail is used there shall be maintained in conjunction therewith a toe board constructed of four-inch by four-inch material.

- (b) Where mechanical haulage tracks lead up to any shaft or winze compartment on the surface or underground there shall be provided on such compartment a substantial gate or barricade reinforced in such manner that it shall be sufficiently strong to withstand any impact imparted thereto by collision therewith of any motor or train and such gate or barricade shall be kept in place except when the cage, skip or bucket is being loaded or unloaded at such level.
- (75) Every shaft shall be properly timbered and such timbering shall be maintained within a distance of forty feet of the bottom of the shaft during sinking operations. Shaft to be timbered.
- (76) Where a drift extends from a shaft in any direction on a level, a safe passage way and standing room for workmen shall be made on one or both sides of the shaft to afford protection against falling material. Protection of workmen in drifts.
- (77) During shaft-sinking operations no work in any other place in the shaft shall be done, nor shall any material or tools be hoisted or lowered from or to any other place in the shaft while men are at work in the bottom of the shaft unless the men so at work be adequately protected from the danger of falling material. Protection of men while sinking shaft.
- (78) Where the enclosing rocks are not safe every adit, tunnel, stope, or other working in which work is being carried on, or persons passing, shall be securely cased, lined or timbered, or otherwise made secure. Securing walls of tunnels, etc.
- (79) (a) All raises inclined at over fifty-five degrees from the horizontal which are to be carried up more than sixty feet shall be divided into at least two compartments, one of which shall be maintained as a ladder-way and equipped with suitable ladders. The timbering shall be maintained within a distance of twenty-five feet of the face of the raise. Raises over fifty-five degrees.

(b)



Raises between fifty and fifty-five degrees.

- (b) All raises inclined at over fifty degrees from the horizontal but under fifty-five degrees which are to be carried up more than one hundred feet shall be divided into at least two compartments, one of which shall be maintained as a ladderway and equipped with suitable ladders in that portion at least which lies above seventy-five feet from the bottom of the raise. The timbering shall be maintained within a distance of twenty-five feet of the face of the raise.

Precautions as to broken material.

- (80) Wherever, at any mine, chutes are pulled where persons may, either at the time of pulling or some future time, be required to go out on the broken material above, sufficient precaution shall be taken to ascertain that the broken material is settling freely and where there is any indication of a hang-up the location shall be adequately protected by suitable signs or barricades and any persons working in the vicinity notified of the danger.

Top of mill hole in stope to be covered.

- (81) The top of every mill hole in a stope shall, as far as practicable, be kept covered.

Procedure before drilling.

- (82) Before drilling is commenced in any working place the exposed face shall be blown over with compressed air or water under pressure and carefully examined for misfires and sockets.

Unused workings to be tested for gas.

- (83) Underground workings, especially shafts, sumps and winzes, which have been in disuse for some time shall be examined before being again used, in order to ascertain whether foul air or other dangerous gases have accumulated there, and only such workmen as may be necessary to make such examination shall be allowed to proceed to such places until such places are in a fit state to work or travel in.

Examination of mine workings.

- (84) The owner, manager, or some authorized person or persons shall examine daily all parts of the mine where drilling and blasting is being carried on; shall examine at least once a week the other portions of a mine in which operations are being carried on, such as shafts, winzes, levels, stopes, drifts, crosscuts and raises, in order to ascertain that they are in a safe working condition; shall inspect and scale or cause to be inspected and scaled the roofs of all stopes or other working places as often as the nature of the ground and of the work performed necessitates.



- (85) The owner or manager shall provide and maintain an adequate supply of properly dressed scaling bars and gads and other equipment necessary for scaling. Scaling bars and gads.
- (86) The owner or manager shall, when necessary, provide life lines for the workmen and it shall be the duty of the workmen to continually wear such life lines while working in dangerous places. Life lines to be used.
- (87) Every dusty place where work is being carried on in a mine shall be adequately supplied at all times with clean water under pressure or other approved appliances for laying the dust caused by drilling or blasting operations. Keeping water supply to lay dust.
- (88) The times for blasting shall be so fixed that the workmen shall be exposed as little as practicable to dust and smoke. Time for blasting.

*Ladderways.*

- (89) A suitable footway or ladderway shall be provided in every shaft. Ladders in shaft.
- (90) The ladder or passageway in a shaft or winze shall be separated by a substantial, closely boarded partition from the compartment or division of the shaft or winze in which the material is hoisted. Foot ladder or passage in shaft to be separated from hoist.
- (91) In a shaft inclined at over seventy degrees from the horizontal a substantial platform shall be built at intervals not exceeding twenty feet in the ladderway, and the same shall be closely covered except for an opening large enough to permit the passage of a man's body, and the ladders shall be so placed as to cover this opening in the platform. Ladders and platforms in steeply inclined shafts.
- (92) In a shaft inclined at less than seventy degrees but more than fifty degrees from the horizontal the ladders may be continuous, but platforms shall be built at intervals not exceeding twenty feet, and so covered that only an opening large enough for the passage of a man's body is provided. Stairways may be used in a shaft inclined at less than fifty degrees from the horizontal. Ladders and platforms and stairways in shafts of a low angle.
- (93) Wire rope or strands of wire rope shall not be used or be allowed to be used for climbing purposes in any mine if they are frayed or have projecting broken wires. Wire rope ladders.

Hand rails  
for ladders.

- (94) Every ladder shall project at least three feet above its platform, except where strong hand rails are provided.

*Ladders.*

Ladders.

- (95) (a) Every ladder used shall be of strong construction, shall be securely placed in any shaft, winze, raise, or stope, and shall be maintained in good repair.
- (b) The distance between centres of rungs of ladders shall not be greater than twelve inches or less than ten inches, and the spacing of rungs shall not vary more than one-half inch in any particular ladderway.
- (c) In order to give a proper foothold the rungs shall in no case be closer than four inches from the wall of a shaft, winze, or raise, or any timber underneath the ladder.

*Shaft Equipment.*

Raising and  
lowering  
material.

- (96) Where steel, timber or other material is being raised or lowered in any shaft or winze it shall be securely fastened to the shaft conveyance or hoisting rope.

When to be  
lined with  
lumber.

- (97) When a crosshead is not used the shaft compartment in which the bucket works shall be closely lined with sized lumber.

Safety ap-  
pliances for  
crossheads.

- (98) All crossheads shall be provided with a safety appliance of approved design so constructed that the crosshead cannot stick in the shaft without also stopping the bucket. Such safety appliances shall be subject to the approval of the Inspector.

Bucket or  
skip not to  
be filled  
above level  
of brim.

- (99) In a shaft or winze, in the course of sinking, the bucket or skip shall not be filled with loose rock above the level of the brim.

Bucket or  
skip to be  
stopped  
fifteen feet  
from  
bottom.

- (100) In a shaft or winze, in the course of sinking, the bucket or skip shall not be lowered directly to the bottom of the shaft if there are men working there, but shall be held at least fifteen feet above the bottom, and shall remain there until the signal to lower same has been given by the men on the bottom.

Bucket to be  
steadied.

- (101) No bucket shall be allowed to leave the top or bottom of any shaft or winze until the workman in charge thereof has steadied it or caused it to be steadied.

*Raising or Lowering Persons.*

- (102) Whenever a mine shaft exceeds four hundred feet in vertical depth a suitable cage or skip equipped as required by Rule 104 of this section, shall be provided for lowering or raising men in the shaft. Cage or skip for raising and lowering workmen.
- (103) No cage shall be used for the raising or lowering of persons unless it is so constructed as to prevent any portion of the body of any person riding therein from accidentally coming into contact with the timbering or sides of the shaft or winze. Doors shall be so fitted that they cannot be accidentally opened and shall be closed when lowering or hoisting men. Protection from contact with timbering, etc.
- (104) All cages or skips for lowering or raising men shall be constructed as follows: Cages or skips, how to be constructed.
- (a) The hood shall be made of steel plate not less than three-sixteenths of an inch in thickness; Hood.
  - (b) The cage shall be provided with sheet iron or steel side casing not less than one-eighth of an inch in thickness, and not less than five feet in height, and with doors made of suitable material; Casing.
  - (c) The doors shall extend at least five feet above the bottom of the cage, and shall be closed when lowering or hoisting men; Doors.
  - (d) The safety appliances shall be of sufficient strength to hold the cage or skip with its maximum load at any point in the shaft, as provided in clause *b* of Rule 124 of this section; but the Chief Inspector may give permission, in writing, for hoisting, without safety appliances, if he is satisfied that the equipment is such that a maximum of safety is provided; Safety catch.
  - (e) The cage shall not have chairs attached thereto which are operated by a lever or a chain through or from the floor of the cage. Operating chairs by lever.
- (105) No person shall travel or be permitted to travel in a bucket, cage or skip operated by an engine which is being simultaneously used for the hoisting of mineral or material, except as provided for in clause *c* of Rule 106. Hoisting men and material simultaneously.

When persons not to be hoisted.

- (106) No person shall be lowered or hoisted, or allow himself to be lowered or hoisted, in a shaft, winze or other underground opening of a mine:

In buckets or skips.

- (a) In a bucket or skip, except that men employed in shaft sinking will be allowed to ascend and descend to and from the nearest level or other place of safety by means of the bucket or skip used for hoisting material, but there shall always be a suitable ladder in the shaft to provide an auxiliary means of escape;
- (b) In a cage or skip, except as provided in clause *a* of Rule 106 and clause *d* of Rule 104, which is not provided with a hood, dogs or other safety appliances approved by the Inspector;
- (c) In a cage, skip or bucket that is loaded with powder, steel or timber except for the purpose of handling the same;
- (d) In a cage, skip or bucket in which any material is carried, unless the same be adequately secured.

Hoisting after stoppage for repairs.

- (107) After any stoppage of hoisting for repairs and, after stoppage for any other purpose, which shall exceed two hours' duration, no person shall be raised or lowered until the cage or skip has made one complete trip up and down the working portion of the shaft.

### *Hoisting.*

Hoisting with horse and pulley-block.

- (108) Hoisting from mine workings with horse and pulley-block is forbidden.

Brakes required.

- (109) Where hoisting is done by means of an engine an adequate brake or brakes shall be attached to the drum of the hoist and kept in proper working order.

Type of brake.

- (110) Such brakes shall be so arranged that, whether the engine is at work or at rest, they can be easily and safely manipulated by the hoistman when standing at the levers controlling the engine. No hoist used for the raising or lowering of persons, or used in shaft sinking, shall be equipped with a brake or brakes operated by means of the hoistman's foot unless such brake is an auxiliary electrical device. The adjustments of the brake or brakes shall be maintained in

such

such condition that when the normal power of the brake or brakes is applied the brake lever will still have a clearance between itself and the ends of the quadrant in which it works.

- (111) The operating gear of the clutch of the drum shall be provided with locking gear to prevent inadvertent withdrawal of the clutch. Locking gear.
- (112) Such bolts and other fittings of the drums, brakes and clutches as might be a source of danger in the event of their becoming loosened shall be rendered secure by means of suitable locking devices. Locking devices.
- (113) All electric hoists fitted with mechanically operated brakes shall be so installed that:
- (a) the mechanically operated brakes will be applied automatically the moment the power supply fails; Automatic brakes.
  - (b) in case of a heavy overload, such as would be caused by the shaft conveyance leaving the rails or becoming jammed in the shaft, a circuit breaker will cut off the power and thus allow the mechanically operated brakes to come into play; Circuit breaker.
  - (c) a suitable overwind device, which can be set to engage shaft conveyance at any point in the head-frame, will cut off the current, in case of an overwind past this point, and thus allow the mechanically operated brakes to come into play. In default of a device of this nature the hoist shall be equipped with some other form of satisfactory and dependable overwind device. Such devices shall be tested out by the hoist man at least once a week; Overwind device.
  - (d) the brakes shall, on failure of the power supply, be put into play by mechanical means, preferably gravity, and shall in no case be operated by an auxiliary electric current; Brakes operated by mechanical means.
  - (e) the brake and clutch operating gear shall be so interlocked that it shall not be possible to release the brake while the clutch of the corresponding drum is disengaged. Interlock.

Brakes to  
be tested.

- (114) The operator of a hoisting engine shall not, after going on shift, unclutch a drum of his engine until he has assured himself immediately beforehand, by testing the brake of the drum against the normal starting power of the engine, or in case of an electric hoist against the normal starting current, that the brake is in proper condition to hold the load suspended from said drum.

Friction  
clutches.

- (115) When the hoisting engines are fitted with friction clutches, the operator, after going on shift, shall, when clutching in, test the holding power of the clutch before releasing the brake of the corresponding drum, the brake of the other drum being kept off. In case of a steam or air hoist, the test shall be made against the normal starting power of the engine, and in case of an electric hoist against the normal starting current.

Use of  
brake when  
drum un-  
clutched.

- (116) When the drum of a hoist is unclutched, the brake of such drum shall be used only for the purpose of maintaining such drum in a stationery position and no lowering shall be done from an unclutched drum.

Auxiliary  
brake  
required.

- (117) In case of non-reversible steam or air hoists and single-drum electric hoists, not used in balanced hoisting, an adequate auxiliary brake shall be installed before the same shall be used for hoisting or lowering men, but non-reversible steam or air hoists with throttle-controlled exhaust shall not require such auxiliary brake.

Indicator  
required.

- (118) Every hoisting engine shall, in addition to any marks on the rope, be provided with a reliable depth indicator, which will clearly and accurately show to the operator at all times:

(a) the position of the bucket, cage or skip;

(b) at what positions in the shaft a change of gradient necessitates reduction in speed;

Exemption.

but this rule shall not apply to hoisting engines used in sinking operations when the hoistman has an unobstructed view of the landing station and the distance from the landing station to the bottom of shaft does not exceed three hundred feet.

Operation of  
indicator.

- (119) An indicator shall not be operated by a chain and sprocket arrangement but shall be driven by a suitable train of gears from its corresponding drum of the hoist.

- (120) In every shaft exceeding six hundred feet in depth adequate provision shall be made whereby the hoistman is warned of the arrival of the bucket, cage or skip at a point in the shaft, the distance of which from the top landing place is not less than the equivalent of three revolutions of the drum of the hoisting engine. Warning signal.
- (121) On the drum of every machine used for lowering or raising persons there shall be such flanges or horns, and also, if the drum is conical, such other appliances as may be sufficient to prevent the rope or cable from slipping off. Slipping of rope on drums.
- (122) The connection between the hoisting rope and the bucket, counterweight, cage, skip or other means of conveyance shall be of such a nature, that the risk of accidental disconnection is reduced to a minimum. Connections between rope and bucket, etc.
- (123) The owner or manager of a mine, where a hoisting engine is in use, shall depute some competent persons or persons whose duty it shall be to examine at least once in each week the sheave wheels, the hoisting rope and the attachments thereof to the drums and to the counterweights, buckets, cages or skips, the brakes and depth indicators and the buckets, counterweights, cages and skips and any safety catches attached thereto; the guides and hoisting compartments generally and the signalling arrangements; and the external parts of the hoisting engine. Examination of hoisting equipment required.
- (124) Such owner or manager shall also depute a competent person or persons who shall examine,— Examination of cables.
- (a) at least one in each month the structure of the hoisting ropes with a view to ascertaining the deterioration thereof and for the purposes of this examination the rope must be thoroughly cleaned at points to be selected by said person or persons, who shall note any reduction in the circumference of, and the proportion of wear in, the rope;
  - (b) at least once a month the safety appliances of the cages or other shaft conveyances, so equipped, by testing same under load conditions; such test to consist of releasing the cage suddenly, in some suitable manner, so Safety appliances to be tested monthly.

that



that the safety catches shall have opportunity to grip the guides; and in case the safety catches do not act satisfactorily, the cage or other shaft conveyance shall not be used further for hoisting men until the safety catches have been repaired and been proved to act satisfactorily.

Defects to  
be remedied  
at once.

- (125) If, on any examination, as is hereinbefore required there is discovered any weakness or defect by which the safety of persons may be endangered, any such weakness or defect shall be immediately reported to the owner or manager or person in charge, and until such weakness or defect is remedied the hoisting plant shall not be used.

Machinery  
Record Book  
to be  
provided.

- (126) Such owner or manager shall keep or cause to be kept at the mine a book to be termed the "Machinery Record Book," in which shall be recorded a true report of every such examination as is hereinbefore referred to, signed by the person making the examination.

History of  
rope  
necessary.

- (127) No hoisting rope which has previously been in use in any place beyond the control of the owner or manager shall be put on anew except with the permission of the Inspector.

Hoisting  
rope not to  
be spliced.

- (128) In no case shall a rope which has been spliced be used for hoisting purposes.

Length of  
ropes re-  
quired on  
drum when  
skip is at the  
bottom.

- (129) In case of hoisting engines there shall be not less than three rounds of rope upon the drum when the bucket, cage or skip is at the lowest point in the shaft or winze from which hoisting is effected. The end of the rope shall be properly fastened around the shaft or to the spider of the drum.

Hoisting  
both men  
and  
materials.

- (130) In case a hoisting rope is used both for the raising and lowering of men and materials, the weight attached to the rope in the former case, when the bucket, cage or skip is bearing its authorized load shall not exceed eighty-five per centum of the maximum allowable weight when the rope is in use for other purposes.

Rope certifi-  
cate  
necessary.

- (131) (a) No hoisting rope shall be used which is not accompanied by a certificate from the manufacturer giving the following information: name and address of manufacturer, coil or reel number, date of

manufacture, diameter and circumference of the rope in inches, weight per foot in pounds, number of strands, class of core, number of wires in strand, diameter of wires in decimals of an inch, breaking stress of steel of which the wire is made, in tons per square inch, estimated or actual breaking load of rope, length of rope.

- (b) The foregoing data along with the additional following information shall be entered in a book known as the "Rope Record Book," and duplicate copies forwarded to the Chief Inspector when a hoisting rope is newly put on: date of purchase, date on which put on, identification number (where used) of the rope, name of shaft or winze and compartment in which the rope is used, weight of shaft conveyance, weight of material carried, weight of maximum length of rope in service, static factor of safety.
- (c) There shall be kept in the rope record book a history of the hoisting rope, outlining the date on which the rope was put on, certification of trial trips and examinations required by rule 132, date of shortening, dates and summaries of breaking tests, date taken off.
- (d) The rope record book shall always be open for inspection by the Inspector.
- (e) When a hoisting rope is taken out of service, notice to that effect shall be forwarded to the Chief Inspector, giving the date and reasons for discarding along with such other information as he may require
- (132) A hoisting rope when newly put on, and after any subsequent cutting thereof, shall have the connecting attachments between the bucket, cage, skip, or counterweight and the rope carefully examined by some competent and reliable person or persons authorized by the owner, manager, or department head, and shall not be used for ordinary transport of persons in any shaft or winze until two complete trips up and down the working portions of such shaft or winze have been made, the bucket, cage, skip or counterweight bearing its authorized load. The result of such examination shall be recorded in the rope record book. Examination of attachments.
- (133) The factor of safety of all hoisting ropes when newly installed in shafts less than two thousand feet in depth shall in no case be less than six, and in shafts Factor of safety of hoisting rope.

over two thousand feet in depth and less than three thousand feet in depth shall not be less than five. The factor of safety shall be calculated by dividing the breaking strength of the rope as given in the manufacturer's certificate by the sum of the maximum load to be hoisted plus the total weight of the rope in the shaft when fully let out:

(a) No hoisting rope shall be used for the raising or lowering of men when its factor of safety based on its existing strength and dead load shall have fallen below 4.5.

(b) No hoisting rope shall be used for the raising or lowering of men when the number of broken wires in one lay of said rope exceeds six, or when marked corrosion appears.

Rope  
dressing.

(134) Every hoisting rope shall be treated with a suitable rope compound as often as necessary and at least once in every month.

Testing  
portion of  
rope.

(135) At least once in every six months the hoisting rope shall have a portion not less than six feet in length cut off the lower end. The length so cut off shall have the ends adequately fastened with binding wire to prevent the disturbance of the strands and shall be sent to a reliable testing laboratory for a breaking test. The certificate of such test shall be kept on file and a summary thereof recorded in the rope record book.

Cleaning and  
examination  
of rope  
connection.

(136) At the periodical cutting of the rope the connection between the rope and the bucket, cage, or skip shall be thoroughly cleaned and carefully examined.

Head  
sheaves.

(137) Head sheaves shall be of such diameter as shall be suited to the rope in use.

Counter-  
weights.

(138) Wherever a counterweight is used in a shaft it shall operate in a separate and safely enclosed compartment. The cable from the counterweight shall be attached to the drum of the hoist and not to the cage or skip.

### *Signals.*

Signalling

(139) Every working shaft which exceeds fifty feet in depth shall be provided with some suitable means of communicating by distinct and definite signals from

the

the bottom of the shaft and from every level for the time being in work between the surface and the bottom of the shaft, to the hoist room.

- (140) Where an electrical signal system is installed the <sup>Electrical signal systems.</sup> system shall be so arranged that the hoistman may return the signal to the person giving the signal when men are being hoisted or lowered.

- (141) All methods of signalling in a mine shall be printed <sup>Code of signals.</sup> and posted up in the engine house or hoist house and also at the top of the shaft and at the entrance of each level.

The following code of mine signals shall be used at every mine:

*Code of Mine Signals.*

- 1 bell . . . . Stop immediately—if in motion.  
 1 bell . . . . Hoist.  
 2 bells . . . . Lower.  
 3 bells . . . . Men about to ascend or descend. The 3-bell signal must be given before men enter the cage. When the hoistman receives this signal, he must not move cage for ten seconds after he has received the balance of the signal. In case he is unable to act within one minute of the time he has received the signal, he shall not move hoist until he receives fresh signal. When the hoistman receives a 3-bell signal he shall remain at his levers until the full signal has been received and the act of hoisting or lowering completed.  
 4 bells . . . . Blasting signal. Hoistman must answer by raising bucket, skip or cage a few feet and letting it back slowly, then one bell, hoist men away from blast.  
 9 bells . . . . Danger signal in case of fire or other danger. Then ring number of station where danger exists.

- (142) Special signals, in addition to the above, may be <sup>Special signals.</sup> used at any mine provided they are easily distinguishable by their sound or otherwise from the foregoing code and do not interfere with it in any way and have been approved by the Chief Inspector.

Signal to be given only by authorized person.

- (143) No person, unless duly authorized, shall give any signal for moving or stopping the bucket, cage or skip. No signal shall be given unless the bucket, cage or skip is at the level from which the signal is to be given. No unauthorized person shall give any signal, other than the danger signal, or in any way whatsoever interfere with the signalling arrangements.

Notices to be posted showing number of men permitted to ride.

- (144) A notice showing clearly the number of persons allowed to ride on, and the weight of materials allowed to be loaded on the cage or skip shall be posted at the collar of the shaft. The person authorized to give signals will be held responsible for observance of such notice. No person shall offer obstruction to the enforcement of such notice.

### *Haulage.*

Riding on loaded cars, etc.

- (145) No person shall ride upon or against any loaded car in any level, drift or tunnel in or about any mine. In mechanical haulage this shall not apply to train crews.

Clearance between cars and sides of level.

- (146) On every level on which mechanical haulage is employed, a clearance of at least eighteen inches shall be maintained between the sides of the level and the cars, or there shall be a clearance of twenty-four inches on one side, or safety stations shall be cut every one hundred feet.

Control levers.

- (147) Control levers of storage and trolley locomotives shall be so arranged that the lever cannot accidentally be removed when power is on.

### *Protection from Machinery.*

Fly-wheel, geared-wheel, etc.

- (148) Every fly-wheel, geared-wheel, bull-wheel, pulley or belt, and every opening through which any wheel or belt operates, shall be enclosed with a substantial railing or casing, unless situated in such a manner or location as to prevent any person coming into accidental contact therewith.

Uneven projections to be covered.

- (149) Every key, bolt, set-screw, and every part of any wheel or other revolving machinery which projects unevenly from the surface shall be covered, unless situated in such a manner or location as to prevent any person coming into accidental contact therewith.

- (150) Every power-driven grinding wheel shall be provided with a hooded guard of sufficient strength to withstand the shock of a bursting wheel. This guard shall be adjusted close to the wheel and extend forward, over top of the wheel, to a point at least thirty degrees beyond a vertical line drawn through the centre of the wheel. Grinding wheels to be guarded.
- (151) Persons engaged in dangerous proximity to moving machinery shall not wear or be allowed to wear loose outer clothing. Wearing loose clothing.
- (152) Every runway or staging more than five feet from the floor and used for oiling or other purposes shall be provided with a hand railing. Runway to have hand-railing.
- (153) Every entrance to any elevator, hatchway, or well-hole shall be provided with a suitable trap-door, guard-rail, or automatically closing gate. Protection of entrances.
- (154) Every counterweight shall be so situated or guarded that injury to any person would not be probable should it become detached from its fastenings. Counter-weights.
- (155) Every frog in a track, either above or below ground, on which cars are moved by mechanical power shall have a guard block of wood or iron. Frogs in tracks.
- (156) Every locomotive, engine, trolley or motor car used for hauling material, either above or below ground, shall be equipped with a gong, bell or whistle, which shall be sounded when starting and at such other times as warning of danger may be required. Gongs, etc., on hauling, engines.

*Boilers.*

- (157) Every steam boiler used for generating steam in or about a mine shall, whether separate or one of a range,— Steam boilers.
- (a) have attached to it a proper safety-valve, and also a proper steam-gauge and water-gauge, to show respectively the pressure of steam and the height of water in each boiler; Safety valves.
  - (b) be inspected by an Ontario Government boiler inspector or by an inspector of a boiler insurance company at least once in every twelve months; and a certified copy of the report of the inspection shall be forwarded to the Inspector within seven days. Boiler inspection.

Maintenance.

- (158) Every such boiler, safety-valve, steam-gauge and water-gauge shall be maintained in proper working condition.

*Sand and Gravel Pits.*

Under-mining forbidden.

- (159) In open-pit workings of sand and gravel the method of removing material by undermining shall not be allowed. No vertical working place shall have a height of more than ten feet; where the thickness of material to be excavated exceeds ten feet in depth, the work shall be done in terraces, or at an angle of safety. This rule shall not apply to pits where the material is excavated solely by mechanical means.

Guard rails at track approaches.

- (160) Guard rails shall be placed at the approach to railway tracks, where the view of such tracks is obstructed in one or both directions.

*Metallurgical Works.*

Ventilation.

- (161) At all furnaces of the hand-filled type the room at the furnace top where workmen are engaged shall be adequately ventilated, and there shall be provided and maintained in good order a stairway equipped with hand-rail, from the top of the furnace to the ground level below, affording a safe means of exit in case of danger from any cause.

Protecting workmen.

- (162) Whenever it is necessary for a workman to go up on the bustle pipe for any purpose, he shall first notify the furnace keeper or some other responsible person, whose duty it shall be to remain on watch during the period the workman is engaged on the bustle pipe.

Protection from bustle pipes.

- (163) All bustle pipes shall be provided with safe working platforms, equipped with hand-rails, at least three feet six inches in height, and wherever practicable the platform shall not rest directly on the bustle pipe, but be supported on angle bars, so that the floor plate will not become sufficiently hot to cause burns  
 \* to a workman falling on it. Access to the platform shall be by stairway provided with hand-rails.

Guarding workmen on top of furnace.

- (164) Whenever it becomes necessary for a workman to go on top of the furnace for oiling, cleaning, or other duty, he shall notify the foreman or other responsible person, who shall see that not less than two men go on top for any purpose. It shall be the

duty of one workman to act as watcher and to give the alarm to the stock house, cast house, or bell operator, and render every possible assistance in case of danger from gassing or other causes.

- (165) Life lines and belts in good order shall be provided and kept in some secure and readily accessible place for immediate use in case it becomes necessary to rescue a workman from the top rigging, and also for use by any workman whose duties require him to work in an atmosphere which is liable to become dangerous by reason of the presence of noxious gases. Life lines.
- (166) Workmen employed at metallurgical works shall be supplied with suitable shields and appliances to protect them as far as possible from being burned with molten material. Shields for protection against burning.
- (167) A proper and adequate line of communication by telephone, gong or other mechanical means shall be maintained between the furnace top and all other dangerous places, and the cast house, skip operator's room, or other place where workmen are continuously on duty. Line of communication.
- (168) All stairways shall be inclined at an angle not greater than fifty degrees from the horizontal, and provided with landings or turn-outs, at intervals of twenty-five feet, so that it will not be possible for a workman to fall from the top to the foundation landing below. Stairways protected.
- (169) Every foreman shall personally supervise or appoint a competent assistant to supervise any work around the furnace involving unusual accident hazard, such as work in gas mains or cleaners, tearing out linings, work in the cast house, about the stoves when blowing in or blowing out, and any work about the bells or stock line. He shall also, when the furnace is known to be hanging and liable to slip, see that no workman is allowed on top for any purpose. Supervision of hazardous work.
- (170) Stock piles of ore, limestone, coke or other material shall be inspected daily by some authorized person whose duty it shall be to see that they are in a safe working condition. Inspection of stock piles.



Protection  
around bell.

- (171) Whenever ore becomes frozen in the hopper and workmen are required to bar the same into the furnace, a proper guard-rail shall be provided to prevent workmen slipping on to the bell, and all workmen so engaged shall be equipped with belt and life line.

Rescue  
apparatus.

- (172) There shall be maintained at all blast furnaces in a readily accessible place breathing apparatus and portable resuscitating apparatus of approved type, with an adequate supply of oxygen and absorbent material. There shall always be on duty in each working shift a workman or workmen appointed by the superintendent and trained in the use of breathing and resuscitating apparatus.

*Cranes and Elevators.*

Age of  
elevator  
operator.

- (173) No person under the age of eighteen years shall be allowed to operate an elevator.

Age of crane  
operator.

- (174) No person under the age of eighteen years shall be allowed to operate a crane.

Over-  
winding  
devices.

- (175) Every crane shall be equipped with suitable devices to prevent overwinding.

Rules for  
crane ropes.

- (176) All hoisting ropes used on cranes shall be subject to the same rules as are laid down for hoisting ropes at mines.

Daily exam-  
ination of  
cranes.

- (177) The owner or manager shall depute some qualified person or persons to examine daily such parts of the cranes or apparatus pertaining thereto upon the proper working of which the safety of persons depends. A record of such examinations shall be kept.

Folding  
gates.

- (178) Every entrance to a hoistway shall be provided with a substantial door or doors or gate or gates at least six feet in height. All folding gates over three feet wide shall have top, bottom and centre braces.

Lighting.

- (179) Every hoistway landing and place where machinery is erected shall be well lighted.

Guarding  
hoistway.

- (180) When a hoistway is not enclosed in walls, access to the hoistway by means of an adjacent stairway, platform or floor, which is not an authorized landing, shall be prevented by means of a partition to a height of at least six feet.

- (181) All guide rails for cars and counterweights shall be <sup>Guide rails.</sup> of substantial construction, and shall be securely fastened to the sides of the hoistway, and the bottom ends shall rest on a secure foundation, and be firmly fixed in that position.
- (182) On every elevator hereafter installed a clear space <sup>Clearance for car.</sup> of not less than three feet shall be provided between the bottom of the hoistway and the lowest point of the car when the car is at its lowest landing, and between the top of the car and the sheave when the car is at its top landing, and also between the top of the counterweight and the sheave when the car is at its lowest landing.
- (183) Every elevator shall be provided with automatic <sup>Automatic safety devices.</sup> devices at the top and bottom of the travel of a car in the hoistway, so arranged that the car will be stopped before it has travelled two feet above the top landing, or two feet below the bottom landing, and all drum hoists shall, in addition, be fitted with automatic stop motions to prevent overwinding.
- (184) All counterweights shall have their sections strongly <sup>Protecting counterweights.</sup> bolted together, and shall be so situated that they cannot fall upon any part of the elevator or machinery, and shall be suspended in their guides in such a manner that they will run freely without danger of being detached. Where counterweights run in the same hoistway as the car they shall be protected with a substantial screen of iron or steel from top of guides to a point fifteen feet below.
- (185) Every elevator on which any person travels shall be <sup>Protection on elevator.</sup> provided with side casing, and shall have a door or doors extending at least five feet above the bottom of the elevator, and the top shall be covered with suitable protective roofing.
- (186) Every elevator on which any person travels shall <sup>Safety catches.</sup> be provided with efficient safety catches capable of holding the elevator and twice the maximum load in any position in the hoistway. When the safety catches are operated through shafts, all the levers and safety catches shall be keyed to the shafts.

*Rules Governing Use of Electricity.*

- (187) In these Rules,—

(a) "Cut-out" shall mean any device, such as a fuse <sup>"Cut-out."</sup> or circuit-breaker, by which the electrical con-

tinuity of a conductor may be automatically broken by changes in current or voltage;

"Disconnect-  
nector."

- (b) "Disconnecter" shall mean a switch which is intended to open a circuit only after the load has been thrown off by some other means;

"Electrical  
Supply  
Station."

- (c) "Electrical Supply Station" shall mean any building, room or separate space within which is located electrical supply equipment and which is accessible, as a rule, only to properly qualified persons, and shall include generating stations and substations and generator, storage battery and transformer rooms;

"Grounded."

- (d) "Grounded" shall mean connected to earth or to some extended conducting body which serves instead of earth, and this ground connection may be at one or more points;

"Panel-  
board."

- (e) "Panel board" shall mean a single panel containing busses, fuses and switches to control lights, and devices of small individual as well as aggregate capacity, placed in or against a wall or partition and accessible only from the front;

"Recon-  
struction."

- (f) "Reconstruction" shall mean replacement of any portion of an existing installation by new equipment or construction, but does not include ordinary maintenance replacements;

"Switch."

- (g) "Switch" shall mean a device for opening or closing or changing the connections of a circuit manually, and in these Rules a "switch" is always to be understood as operated manually, unless otherwise stated;

"Switch-  
board."

- (h) "Switchboard" shall mean a large single panel or assembly of panels on which are mounted switches, fuses, busses and usually instruments, and accessible both in front and in rear. Circuits and machinery of relatively large capacity are controlled from such boards;

"Utilization  
Equipment."

- (i) "Utilization Equipment" shall mean equipment, devices and connected wiring, which utilize electrical energy for mechanical, chemical, lighting, testing or similar purposes and are not a part of supply equipment;

(j)

- (j) "Voltage" or "Volts" shall mean the highest effective voltage between the conductors of the circuit concerned, except that in grounded multiwire circuits, not exceeding 750 volts between outer conductors, it means the highest effective voltage between any wire of the circuit and the ground, and in ungrounded, low-voltage circuits "voltage to ground" shall mean the voltage of the circuit; <sup>"Voltage," "Volts," "Voltage to Ground,"</sup>
- (k) "Wire gauge" shall mean the standard known as Brown and Sharpe (B. & S.). <sup>Wire gauge.</sup>

### *General Rules.*

- (188) Where electrical apparatus or machinery is used at any mine it shall be in charge of an authorized person, who shall be qualified by experience to handle such apparatus or machinery. Every person operating or having charge of electrical apparatus shall have been instructed in his duty and shall be competent for the work that he is set to do. Repairs, extensions and changes shall be made to existing electrical equipment and conductors only by authorized persons. <sup>Competent person in charge.</sup>
- (189) No person, other than the person authorized by the owner, manager, or superintendent, shall enter an electrical supply station or interfere with the workings of any machine, transformer, motor, or apparatus connected therewith, and when the authorized person is not present the door of such room shall be kept securely locked. <sup>Supply stations to be inaccessible to unauthorized persons.</sup>
- (190) All electrical equipment shall be of such construction and so installed and maintained as to reduce the life and fire hazard as far as practicable. <sup>General requirements.</sup>
- (191) Electrical equipment shall comply with these rules when placed in service, and shall thereafter be periodically inspected and, when necessary, cleaned. Defective equipment shall be put in good order or permanently disconnected. Defective wiring shall be repaired or removed. <sup>Inspection and repairs.</sup>
- (192) Electrical utilization equipment as well as generating equipment, if enclosed in a separate room which is inaccessible to unauthorized persons, and when in service is under the control of a qualified electrical operator whose attention is not distracted by other <sup>Exceptions.</sup>

processes, shall be considered as electrical supply station equipment, and such exceptions as are made to the general rules for supply stations shall apply to these installations.

Identifica-  
tion of  
equipment.

- (193) All electrical equipment shall be suitably identified where necessary for safety. The voltage and intended use shall be shown, where important.

*General Grounding Rules.*

Circuits to  
be grounded.

- (194) All circuits not over 150 volts shall be grounded if exposed to leakage from higher voltage circuits either through overhead construction or through transformers having primary voltage exceeding 750 volts. Three-wire single-phase circuits and three-wire direct-current circuits not exceeding 300 volts between outer conductors shall have the neutral grounded.

Equipment  
to be  
grounded.

- (195) Electrical equipment shall, when practicable, have the exposed non-current-carrying parts, such as frames of motors, generators, switchboards, cases of transformers, oil switches and instruments and casings or wiring and conductors, permanently grounded:

(a) For all equipment over 150 volts;

(b) For all equipment where metal parts are within reach of exposed grounded surfaces, such as metal frames of other machines, plumbing fixtures, conducting floors or walls (such as damp wood, concrete or rock underground). Grounded surfaces within five feet horizontally of the parts considered, or within eight feet vertically of the floor, shall be considered within reach.

Equipment  
and wire  
runways.

- (196) The point at which the ground conductor is attached to the equipment or wire runways, shall be readily accessible.

Material  
and con-  
tinuity of  
ground  
conductor.

- (197) The ground conductor shall be of copper or other metal which will not corrode excessively under the existing conditions and, if practicable, shall be continuous. Ground connections from circuits shall not be made to jointed piping within buildings, except that water or air piping beyond any point which is liable to disconnection may be used.

- (198) For grounding circuits the ground conductors shall <sup>Size of ground conductor.</sup> have a carrying capacity equal to that of the circuit and must never be less than No. 6, B. and S.

- (199) For electrical equipment the current-carrying capacity of a ground conductor shall not be less than that provided by a copper wire of the size indicated in the following table. When there is no cut-out protecting the equipment, the size of the ground wire shall be determined by the design and the operating conditions of the circuit.

Capacity of nearest automatic cut-out	Required size ground conductor B. & S. gauge.
0 to 200 amperes	6
201 to 500 amperes	4
Over 500 amperes	2

- (200) In portable cord to portable equipment protected by fuses not greater than ten ampere capacity, No. 16 ground wire may be used.

- (201) Ground conductors shall have mechanical protection and insulating guards extending for a distance of not less than eight feet above any ground, platform or floor. If attached to buildings ground conductors shall be supported on insulators and shall be protected by porcelain bushings through floors, partitions or walls. <sup>Protecting ground wire.</sup>

- (202) Main water or air lines may be used for grounds, <sup>Character of ground.</sup> provided that connection is made at a point where the pipe is not liable to disconnection for alteration or repairs. Main water or air lines may be substantially bound together for this purpose, but shall, unless connected to a buried piping system of considerable extent, be connected to an artificial ground.

- (203) The ground connection to metallic piping systems shall be made by sweating a ground wire into a lug <sup>Method of connection.</sup> attached to a suitable clamp and firmly bolting the clamp to the pipe, after all rust and scale have been removed, or by any other equivalent method.

- (204) Artificial grounds shall be located, where practicable, below the permanent moisture level, or failing this at least six feet deep. Each ground shall present not less than four square feet of surface to the exterior soil. Areas where ground water level is close to the surface shall be used where available. <sup>Artificial grounds.</sup>

Where  
separate  
ground  
conductors  
required,

- (205) Ground conductors shall be run separately to the ground (or to a sufficiently heavy grounding bus or system ground cable which is connected to ground at more than one place) from equipment and circuits of each of the following classes: (1) lightning arresters; (2) secondaries connected to low-voltage lighting or power circuits; (3) secondaries of current and potential transformers and cases of instruments on these secondaries; (4) equipment operating in excess of 750 volts; (5) frames of utilization equipment or wire runways other than covered by item (4).

Lightning  
arrester  
grounds.

- (206) Lightning arrester ground connections shall not be made to the same artificial ground (driven pipe or buried plate) as circuits or equipment, but shall be well spaced, and, where practicable, at least twenty feet from other artificial grounds.

*Working Space About Electrical Equipment.*

Utilization  
equipment.

- (207) Suitable working space shall be provided and maintained about all electrical equipment. Where adjacent to exposed live parts such working spaces shall be so arranged that they will not be used as passageways. The working spaces shall, where practicable, have minimum horizontal dimensions, where adjacent to exposed live parts within eight feet of the floor, as follows: (1) parts above 150 volts to ground, if on one side, 2.5 feet; if on two sides, four feet; (2) parts below 150 volts to ground, if on one side, 1.5 feet; if on two sides, 2.5 feet.

Supply  
station  
equipment.

- (208) In supply station equipment the following clearances only need be maintained: (1) parts from 300 up to 750 volts, if on one side, not less than 2.5 feet; if on two sides, not less than three feet; (2) parts above 750 volts, if on one side, not less than three feet; if on two sides, not less than five feet.

*Guarding or Isolating Live Parts.*

Guarding  
current-  
carrying  
parts.

- (209) In supply station equipment, current-carrying parts shall be guarded unless they are maintained at the following distances above the floors which may be occupied by persons:

Voltage of conductors.		Elevation in feet
300 to	750 .....	7
750 to	2,500 .....	7.5
2,500 to	7,500 .....	8
7,500 to	30,000 .....	9
30,000 to	70,000 .....	10
70,000 to	100,000 .....	12

- (210) All exposed current-carrying parts of electrical equipment such as bus bars, conductors and terminals operating at over 150 volts and not isolated by an elevation of at least eight feet, shall be provided with suitable permanent enclosures or other guards arranged so as to prevent persons or conducting objects from inadvertently coming (or being brought) in contact with the parts in question.
- (211) Where the current-carrying parts at over 150 volts, or in supply stations at over 300 volts to ground, must necessarily be exposed (unguarded) within eight feet, or in supply stations within the limits called for in Rule 209, from the floor line, all surrounding conducting floors shall be covered with suitable insulating platforms, mats or other insulating devices.
- (212) Where the current-carrying parts operate at over 7,500 volts, enclosing or barrier guards shall always be provided, even when insulating mats are also provided.

*Storage Batteries.*

- (213) Storage batteries in rooms used also for other purposes shall be adequately guarded or enclosed. Means shall be provided, if necessary, to prevent dangerous accumulations of inflammable gas. Batteries whose operating voltage exceeds 50 volts shall be installed in conformity with the general rules covering equipment.

Protection  
of storage  
batteries.

*Transformer Rules.*

- (214) Secondary circuits of current transformers shall be provided with means for short-circuiting them which can be readily connected while the primary is energized, and which are so arranged as to permit the removal of any instrument or other device from such circuits without opening the circuits.
- (215) When primaries are above 7,500 volts secondary circuits of current and potential transformers, unless otherwise adequately protected from injury or contact of persons, shall be in permanently grounded conduit.
- (216) The low-voltage circuit of all instrument transformers shall be permanently grounded unless the circuits are installed and guarded as required for the high-voltage circuits of the transformers.

Protecting  
instrument  
trans-  
formers.



Oil  
immersed  
transformers

- (217) Oil immersed transformers shall not be mounted on or above combustible roofs or attached to any building not of fireproof construction other than a transformer house and if within a building other than a transformer house must be in a fireproof compartment, suitably drained and ventilated to outdoors, the door openings to be provided with not less than six-inch non-combustible sills.

Transformer  
stations to  
be fireproof.

- (218) Transformer stations, if not entirely of fireproof construction, shall be located at least fifty feet distant from other buildings.

*Lightning Arrester Rules.*

Inaccessible  
to un-  
authorized  
persons.

- (219) If the operating voltage of the circuit exceeds 750, the lightning arresters shall be made inaccessible to unauthorized persons.

Location.

- (220) Lightning arresters, when installed inside of buildings, shall be located as far as practicable from all other equipment and from combustible parts of the building.

Provisions  
for discon-  
necting.

- (221) Lightning arresters on circuits over 7,500 volts and all lightning arresters which may require work to be done upon them from time to time, shall be so arranged, isolated, and equipped that they may be readily disconnected from conductors to which they are connected by air-break manual disconnectors.

Ground  
wires.

- (222) Ground wires shall be run as directly as possible and be of low resistance and ample capacity. In no case shall ground wires be less than No. 6 copper wire. Ground conductors for lightning arresters shall not pass through iron or steel conduits unless electrically connected to both ends of such conduits.

Grounding  
non-current  
carrying  
parts.

- (223) All non-current carrying parts of the arresters shall be grounded, unless effectively isolated by elevation, or guarded as required for live parts of the voltage of the circuit to which the arrester is connected and suitably identified as to that voltage.

Guarding  
live parts.

- (224) All current-carrying parts of arresters on circuits above 750 volts, unless effectively isolated by elevation, shall be adequately guarded to protect persons from inadvertent contact with them, or from injury by arcing. Guarding shall comply with Rules 210 and 228.

*Conductors.*

- (225) Conductors shall be suitable for the location, use and voltage and each conductor (except neutral conductors, ground wires, and conductors of circuits, the opening of which may cause special hazard by interruption of service or removal of protection), shall be protected against excessive current by suitable automatic cut-out or by the design of the system. Electrical protection of conductors.
- (226) All conductors normally grounded for the protection of persons shall be arranged without automatic cut-outs interrupting their continuity between the sources of electrical supply and the point at which the ground wire is attached, unless the cut-out opens all the conductors of the system with one operation. Cut-outs omitted.
- (227) All conductors where not protected by conduit or armouring shall have approved insulation and shall be mounted on cleats, porcelain knobs or insulators and shall be separated from contact with floors, walls or partitions by tubes of incombustible insulating material. Insulating conductors.
- (228) All fixed conductors operating at over 150 volts or in supply stations at over 750 volts unless isolated by an elevation of at least eight feet shall be enclosed in grounded metal conduit, grounded metal sheathing or shall be guarded by permanent screens or enclosures. Isolating conductors.
- (229) Bare conductors shall be used only for switchboard, panelboard, storage-battery connections or for open wiring at voltages exceeding 2,400 volts in supply stations or for electrolytic low-voltage furnaces and similar connections, or for trolley wires and other contact conductors. Except at points where permanent ground connections are made such conductors within buildings shall be kept insulated from the ground. Use of bare conductors.
- (230) Temporary wiring and equipment, which is not in compliance with these rules, may be used, but only when under competent supervision, or protected by suitable barriers or warning signs while it or neighbouring wiring is alive and accessible to unauthorized persons. Temporary wiring.

*Fuses, Cut-outs, Switches and Controllers.*

General  
require-  
ment of  
switches.

- (231) All switches, automatic cut-outs, controllers, starting rheostats, auto starters and other control devices shall be readily and safely accessible to authorized persons; they shall be so located, labelled or marked as to afford means of identifying circuits or equipment supplied through them, and to indicate whether they are open or closed. They shall be so installed, where practicable, that they cannot be closed by gravity and such switches as close by gravity shall be provided with a proper stop block or latch to prevent accidental closing.

Switches  
required for  
equipment.

- (232) Suitable switches shall be inserted in all circuit leads to generators, motors, transformers, storage batteries, electric furnaces and similar equipment except between parts or pieces of apparatus intended to operate as a unit.

Switches  
required in  
feeders.

- (233) Suitable switches shall be inserted in all feeder conductors connecting utilization installations to service connections from either overhead or underground lines. These switches shall be readily accessible, and as close as practicable to the point of connection with the overhead or underground lines.

Switches for  
temporary  
wiring.

- (234) Switches or plug connectors shall be placed in all circuit leads at the point where temporary wiring or portable conductors are connected to the permanent wiring.

Capacity of  
switches.

- (235) Switches used otherwise than as disconnectors shall have a rated capacity such as to insure safe interruption, at the working voltage, of the greatest current which they may be required to carry continuously, and shall be marked with the current they can safely interrupt.

Switches  
have suffi-  
cient rup-  
turing  
capacity.

- (236) All cut-outs, switches, circuit breakers and other apparatus used for opening or closing an electric circuit shall be of such design as to operate safely on the system from which the circuit is energized.

Discon-  
nectors.

- (237) Disconnectors shall be of suitable voltage and ampere rating for the circuit in which they are installed and shall be accessible only to qualified persons. They shall also be protected by signs warning against opening the switch while carrying current in excess of the safe opening limit.

- (238) Means shall be provided so that switches controlling apparatus can be locked or blocked in the open position or plainly tagged to prevent careless closing while work is being done on the equipment unless all live and moving parts of the equipment are in plain sight of the switch. Locking or blocking switches.
- (239) Switches, controllers and rheostats shall be so constructed as to make and maintain good contact. Knife switches shall maintain such alignment under service conditions that they may be closed with a single unhesitating motion. Good contact required on switches.
- (240) Unless a switch, operating on a circuit above 300 volts, makes an air break there shall, if equipment controlled by such switch requires adjustment or repairs while the conductors leading to such switch are still alive, be installed between it and the source of energy supply a suitable air-break disconnecter. When air-break switches needed.
- (241) All manual switches over 150 volts to ground or in supply stations over 300 volts to ground shall have suitable casings or guards protecting the operator from danger of contact with current-carrying parts or being burned by arcing at the switch. Enclosing live parts of switches.
- (242) All switches interrupting circuits over 300 volts shall be operated by means of remote control mechanism or be provided with suitable casings protecting the operator from danger of contact with current-carrying parts, except as provided in Rule 244. The control device for switches shall indicate whether the switches are open or closed. Guarding switches above 300 volts.
- (243) Switches shall, if practicable, be so connected that switch blades will not be alive when in the open position. Connections to switches.
- (244) Where switches, disconnectors, and fuses above 750 volts are ordinarily guarded by covers or enclosed in separate rooms, but must occasionally be operated without such protection, either by removal of the covers or by entrance into the rooms, adequate working space shall be provided about the live parts so that the operator will not be required to bring any part of his body within the following horizontal distances:

Voltage of parts.	Distance in feet.
750 to 7,500 .....	1
7,500 to 30,000 .....	2
30,000 to 50,000 .....	3
50,000 to 70,000 .....	4
70,000 to 100,000 .....	5

Switches to be placed before fusible cut-outs.

- (245) On circuits up to 300 volts to ground, where fusible cut-outs are not so arranged that they are necessarily disconnected from all sources of electrical energy before the ungrounded current-carrying parts can be touched, switches shall always be so placed or arranged that opening them will disconnect the fuses from all sources of electrical energy.

Protecting fusible cut-outs above 300 volts.

- (346) Fusible cut-outs above 300 volts to ground shall be in a cabinet or otherwise made inaccessible to all but authorized persons, and switches shall be so placed and arranged that opening them will disconnect the fuses from all sources of electrical energy.

Fuses in fireproof cabinets.

- (247) All fusible cut-outs shall be installed in approved fireproof cabinets.

Capacity of fuses.

- (248) The rated capacity of the fuses shall not exceed the allowable carrying capacity of the conductor.

#### *Switchboards.*

Switchboards to be readily accessible.

- (249) Switchboards and panelboards shall have all switches arranged so that the means of control are readily accessible to the operator.

Switchboards to be convenient for operation.

- (250) Instruments, relays or other devices requiring reading or adjustment shall be so placed that the work can be readily performed from the working space provided.

Location and lighting of switchboards.

- (251) Switchboards shall be so placed that the person operating them will not be endangered by machinery or equipment located near the board. Means for adequate illumination shall be provided.

Protecting against short circuiting on switchboards.

- (252) Exposed bare parts of different potentials on any switchboard or panelboard shall be as few as practicable and these shall be effectively separated.

Guarding current-carrying parts of switchboards.

- (253) All switchboards and panelboards having exposed current-carrying parts operating at over 150 volts to ground shall, when practicable, be suitably encased in locked cabinets, screens, or rooms, or other enclosures to make them inaccessible to other than authorized operators. Conducting floors about such boards, and in supply stations about boards having equipment, operating at over 300 volts to ground shall be provided with suitable insulating platforms or mats so placed that no person can inadvertently touch live parts unless standing on the insulating platform or mats.

- (254) Where switchboards or panelboards at voltages below 150 to ground are accessible to other than authorized operators, they shall, where practicable, be enclosed in cabinets or screens as an effective precaution against accidental short circuit at times when no operation of the board necessitates the opening of the cabinet or screen.
- Switch-boards below 150 volts accessible to unauthorized persons.

*Motor Control Devices.*

- (255) Manually controlled starters for all D.C. motors and for all A.C. motors over five horsepower shall be so designed and the circuits so arranged that they return automatically to the "off" position upon the failure of the energy supply, except where the motors and their starting devices are, during operation, under the supervision of qualified persons and equivalent protection is otherwise provided.
- Motor control devices.
- (256) Each motor must be protected against excessive overload current by cut-out or automatic circuit breaker, and overload device should interrupt the circuit at fifty per centum over normal motor-current rating. An auto starter which disconnects all wires of the circuit automatically under overload when in the running position may be used as circuit breaker.
- Protecting motors against overload.

*Illuminating Supply Stations.*

- (257) Rooms and spaces shall have good artificial illumination. Arrangement of permanent fixtures and plug receptacles shall be such that the portable cords need not be brought into dangerous proximity of live electrical apparatus. All lamps shall be arranged to be controlled, replaced, or trimmed from readily accessible places.
- Lighting for supply stations.
- (258) A separate emergency source of illumination, from an independent generator, storage battery, lanterns or other suitable source, shall be provided in every station where an attendant is located.
- Emergency lighting for supply stations.

*Fire Fighting Appliances.*

- (259) Each room or space where an operator is in attendance shall be provided with an adequate approved fire extinguishing appliance conveniently located and conspicuously marked. No chemical appliance which has not been approved for use on live parts shall be placed in any room containing electric apparatus or exposed lines.
- Fire fighting appliances.

*Lighting Fixtures.*

Guarding  
current-  
carrying  
parts of  
lighting  
fixtures.

- (260) Electric fixtures, such as lamp sockets and lamp bases, plugs, receptacles, etc., shall be so installed that no current-carrying parts will normally be exposed externally when these parts are within reach of grounded surfaces (see Rules 210, 211 and 212). The high-temperature current-carrying parts of radiant heaters are exempted.

Portable  
lamps.

- (261) Portable lamps shall not be connected to circuits operating at over 300 volts to ground.

Portable  
conductors  
exposed to  
injury.

- (262) In locations where exposed to dampness or mechanical injury, portable conductors shall be of reinforced weatherproof cord, and, when necessary, armoured.

Style of  
portable  
lamps  
permitted.

- (263) In locations where exposed to dampness or mechanical injury, portable lamps shall have their sockets enclosed in wood or composition handles, through which the conductor shall be carried, and shall have a substantial wire cage which encloses the lamp. A hook for hanging the lamp shall be attached either to the cage or to the handle.

*Trolleys and Portable Apparatus.*

Guarding  
trolley or  
crane  
collector  
wires.

- (264) Trolley or crane collector wires, whether indoors or out, shall, where practicable, be elevated at least 8 feet above the rail level and be provided with suitable guards so arranged that persons cannot inadvertently touch the current-carrying parts while in contact with the ground or with conducting material connected to the ground.

Operating  
voltage in  
tunnels etc.

- (265) In tunnels or under bins or in similar locations where trolley wires are necessarily less than 8 feet above the rail level, the operating voltage shall not exceed 300 and the wires shall be efficiently guarded to prevent accidental contact of person.

Portable  
and  
pendant  
conductors.

- (266) Portable and pendant conductors shall not be installed or used on circuits operating at over 150 volts to ground, unless they are accessible only to persons authorized to approach them. In such cases they shall be of a type suitable to the voltage and conditions.



*Cranes and Elevators.*

- (267) Readily accessible means shall be provided whereby all conductors and equipment located in or on cars or cranes can be disconnected entirely from the source of energy at a point as near as possible to the trolley or other current collector. Disconnections for cars and cranes.
- (268) A circuit breaker or switch, capable of interrupting the circuit under heavy loads, shall be used unless the current collector can be safely removed, under heavy loads, from the trolley wire. Switch needed on cars and cranes.

*Telephone Exposed by Supply Lines.*

- (269) Telephone or other signal apparatus which must be handled by persons and which is connected to overhead signal circuits exposed by supply lines over 400 volts to ground shall be protected as follows: Protecting telephone equipment exposed by high voltage.
- (a) By fuses and arresters;
  - (b) All exposed non-current-carrying metal parts shall be permanently grounded;
  - (c) The apparatus shall be installed in such a way that a person using it will be obliged to stand on a suitably insulated platform, in a suitably insulated booth or on other insulating surfaces.
- (270) Telephone or signal apparatus which is connected to a line which parallels a supply circuit of high voltage in such a manner as to be exposed to induced voltage shall be protected by transformers and shall comply with the requirements of Rule 269. Protecting telephone signal equipment exposed to induced voltage.

*Transmission Lines.*

- (271) All electrical supply lines and equipment shall be of suitable design and construction for the service and the conditions under which they are to be operated, and all lines shall be so installed and maintained as to reduce the life hazard as far as practicable. Design and construction of supply lines.
- (272) Conductors and other current-carrying parts of supply lines shall be so arranged as to provide adequate clearance from the ground or other space generally accessible, or shall be provided with guards so as to effectively isolate them from accidental contact of person. Guarding supply lines.



Entrance to  
buildings.

- (273) Where supply lines over 300 volts to ground are attached to any buildings, for entrance, they shall be permanently guarded if accessible.

Clearance  
required  
by supply  
lines over  
railways.

- (274) Supply lines carried over railways operated by steam, electric or other motive power and on which standard equipment, such as freight cars, is used shall have the style of construction and clearances overhead as called for in the rules of the Board of Railway Commissioners of the Dominion of Canada. Supply lines crossing over railways on which standard equipment is not used and lines crossing over roadway shall have ample clearance for the operating conditions and shall be substantially supported.

*Underground.*

Restrictions  
on use of  
motors  
under-  
ground.

- (275) Except with the written permission of the Chief Inspector, who shall prescribe such conditions as he may deem fit:—

- (a) No motor over 750 volts to ground shall be used underground;
- (b) The voltage supply for electrical traction underground shall not exceed 300;
- (c) No electrical energy higher than 750 volts to ground shall be transmitted underground.

In under-  
ground in-  
stallations  
switch to be  
placed at  
surface.

- (276) Where electrical energy is taken underground provision shall be made that the current can be cut off, on the surface, close to the point where it is led underground. The cut-off switch or switches shall be situated in a locked building or compartment, and same shall be accessible only to an authorized person or persons.

Fire preven-  
tion about  
electrical  
installations.

- (277) The bases of electric motors, transformers, starting equipment and other electrical apparatus and the compartments in which such are installed shall be of such material and constructed in such manner as to reduce the fire hazard to a minimum. No inflammable material shall be stored or placed in the same compartment with any such equipment or apparatus.

Conduits  
required.

- (278) All cables over 150 volts transmitting power underground shall be armoured or enclosed in standard conduit and substantially supported.

- (279) Wires carrying not over 150 volts to ground for lighting and signal circuits shall either be in standard conduits or casings, or suspended from and securely tied to porcelain or glass insulators, so that they do not touch any timbering or metal. On no account shall staples be used. Conduits or insulators for lighting circuits.
- (280) The armouring or casing of cables, mentioned in the two next preceding rules, shall be bonded together so as to be electrically continuous, and shall be connected at some point or points to a satisfactory ground. Groundings of casings.
- (281) All rules governing grounding of electrical apparatus in general work shall apply equally to underground work. Method of grounding.
- (282) All proper precautions shall be taken to prevent electrical signal or telephone wires, whether insulated or not, coming into contact with other electrical conductors. Precautions to protect signal and telephone wires.

*Rules Governing Electric Hoists.*

- (283) When the inspector has cause to believe that the shaft conveyance operated by any electric hoist is being overloaded he shall have the power to order a test to be made. Testing for overloading.

*Damage to Property.*

- (284) No person shall wilfully damage, or without proper authority remove or render useless, any fencing, casing, lining, guide, means of signalling, signal, cover, chain, flange, horn, brake, indicator, ladder, platform, steam-gauge, water-gauge, safety-valve, electrical equipment or other appliance or thing provided in any mine in compliance with this Act. Wilful damage.

*General.*

- (285) No person under the influence of or carrying intoxicating liquor shall enter any mine or be in the proximity of any working place on the surface or near any machinery in motion. Persons under the influence of or carrying liquor.
- (286) An abstract of the rules and regulations contained in this Act, authorized by the Chief Inspector, shall be posted up in suitable places at the mine or works where the same can be conveniently read and the Abstract of rules to be posted.

owner or agent of the mine shall maintain such abstract, duly posted, and the removal or destruction of the same shall be an offence against this Act. R.S.O. 1927, c. 45, s. 161; 1929, c. 15, ss. 4, 5 and 6. *Amended.*

*Payment of Wages.*

Prohibition  
of payment  
of wages at  
public  
houses.

- 164.—(1) No wages shall be paid to any person employed in or about any mine to which this Part applies at or within any tavern, shop or place where spirits, wine, beer or other spirituous or fermented liquors are sold or kept for sale, or within any office, garden, or place belonging or contiguous thereto or occupied therewith.

Penalty.

- (2) Every person who contravenes or permits any person to contravene this section shall be guilty of an offence against this Act, and in the event of any such contravention by any person whomsoever the owner and agent of the mine in respect of which the wages were paid shall also each be guilty of an offence against this Act, unless he proves that he had taken all reasonable means to prevent such contravention by publishing and to the best of his power enforcing the provisions of this section. R.S.O. 1927, c. 45, s. 162.

Payment  
of wages  
at least  
fortnightly.

- (3) Notwithstanding any agreement to the contrary, every person who performs labour for wages in connection with any mine, mining claim, mining lands, or works connected therewith, shall be paid such wages not less frequently than twice a month. R.S.O. 1927, c. 45, s. 163.

*Sale of Liquor Prohibited.*

Sale of in-  
toxicating  
liquor pro-  
hibited  
within six  
miles of  
certain  
mines.

165. Except in a city, town or village no shop or store for the sale of intoxicating liquor, as defined by any Act for the prohibition or control of the sale or consumption of intoxicating liquor, shall be opened or maintained within six miles of any mine or mining camp where six or more workmen are employed. R.S.O. 1927, c. 45, s. 164.

*Damaging Other Claims.*

Licensees  
not to  
damage  
other claims.

166. No person or company shall, without right or authority, cause damage or injury to the holder of any other mining property by throwing earth, clay,

stones, or mining material thereon, or by causing or allowing water which may be pumped or bailed or which may flow from a mining claim or other mining property of such person, to flow into or upon such other mining property, and the offender in addition to any civil liability shall incur a penalty of not more than \$10 for every day such damage or injury continues, and in default of payment of the penalty and costs, may be imprisoned for any period not exceeding one month. R.S.O. 1927, c. 45, s. 165. *Amended.*

*Party Wall.*

- 167.—(1) Except as provided for in subsection 17 of section 163, or unless the owners agree to dispense therewith, in all mining operations there shall be left between all adjoining properties a party wall at least fifteen feet thick (being seven and one-half feet on each property), to the use of which the adjoining owners shall be entitled in common. R.S.O. 1927, c. 45, s. 166 (1) *amended.* Party walls, thickness of.
- (2) The owners shall be entitled to use such party wall in common as roadway for all purposes, and such roadway shall not be obstructed by the throwing of soil, rock or other material thereon, or in any other way, and any person obstructing the same in addition to any civil liability shall incur a penalty of not more than \$10 for every day such obstruction continues. Use in common.
- (3) Any such adjoining owners may, in any case, apply to the Judge, who may make an order dispensing with such party wall or roadway, or providing for the working of any material therein, or otherwise as he may deem just. R.S.O. 1927, c. 45, s. 166 (2, 3). Dispensing with
- (4) When the owner of a mine or mining property has reason to believe that a breach has been made in the party wall between his own and an adjoining property or that a trespass has been committed with respect thereto, the Judge may upon application to him authorize a competent and disinterested person to examine such party wall and for such purpose enter the said mine or mining property with an assistant or assistants and use if necessary the workings and appliances thereof, and the person so appointed shall immediately after such examination report in writing his findings to the Judge. Examination of party wall.

The time when such examination shall be made and the cost thereof and any damage resulting therefrom shall be fixed by the order of the Judge.

Order for  
closing  
breach in  
party wall.

- (5) Where a breach has been made in a party wall of a mine by the owner of an adjoining mine or by his workmen, servants or agents without permission of the owner of such first mentioned mine or the authority of the Mining Court or the Department, the Judge of the Mining Court upon the application of such first mentioned owner may make an order directing the owner of such adjoining mine to permanently close such breach or do such other things as the Judge may deem necessary or advisable to prevent water flowing into the mine of the applicant, and if work has been discontinued in such adjoining mine, or if for any other reason he deems it expedient, the Judge may authorize the applicant to enter upon the adjoining mine and into the works thereof and to erect bulkheads therein and do all such other things or make such use of the works of the adjoining mine as the Judge may deem necessary or advisable for the purpose of protecting the mine of the applicant and his workmen and employees from damage or danger from accumulations of water in the adjoining mine.

Varying  
order.

- (6) The Judge for good cause shown and on such terms as may seem just may by subsequent order at any time change, supplement, alter, vary or rescind any order made under the authority of this section.

#### *Notice of Accidents.*

Accidents,  
causing  
death,—  
notice of.

- 168.—(1) Where, in or about any mine, whether above or below ground, any accident occurs which causes loss of life to any person employed in or about the mine, the owner, agent, manager or superintendent of the mine shall immediately notify, by telephone or telegraph, the Deputy Minister.

Notice of  
serious  
injury.

- (2) Where, in or about any mine, whether above or below ground, any accident occurs which causes fracture or dislocation of any of the bones of the body, or any other serious personal injury, to any person employed in or about the mine, the owner, agent, manager or superintendent of the mine shall within three days next after the accident send notice in writing to the Inspector resident in that district on the form prescribed for such purpose.

- (3) "Serious personal injury" shall mean such an injury as in the opinion of the attending physician may result in the injured person being incapacitated for work for at least seven days. "Serious personal injury," meaning of.

- (4) Where in or about any mine; Accidents.
- (a) any case of overwinding a skip or cage; Overwinding.
- (b) any breakage of a rope or cable used for hoisting; Breakage in cables.
- (c) any inrush of water from old workings or otherwise; Inrush of water.
- (d) any outbreak of fire below ground; or Fire below ground.
- (e) any premature or unexpected explosion; Explosions.

occurs, whether or not loss of life or personal injury is caused thereby, the owner, agent, manager, or superintendent shall, within twenty-four hours next after the occurrence, send notice in writing to the Inspector resident in the district, and shall furnish such particulars in respect thereof as may assist the Inspector in making inquiry into the circumstances. R.S.O. 1927, c. 45, s. 167. Notice to Inspector.

169. Where mining operations have been commenced upon any mine, claim, location of works, or where such operations have been discontinued, or where such operations have been recommenced after an abandonment or discontinuance for a period exceeding two months, or where any change is made in the name of a mine or in the name of the owner or agent thereof, or in the officers of any incorporated company which is the owner thereof, the owner or agent of such mine, claim, location or works shall give notice thereof to the Deputy Minister within two months after such abandonment, discontinuance, recommencement or change, and if such notice is not given the owner or agent shall be guilty of an offence against this Act. R.S.O. 1927, c. 45, s. 168. Notice of changes in connection with the working of a mine or in respect of its officers.

### *Statistical Returns.*

- 170.—(1) For the purpose of their tabulation under the instructions of the Minister the owner or agent of every mine, quarry or other works to which this Act applies shall, on or before the 15th day of Statistical returns by owners and agents of mines.

January in every year, send to the Department a correct return for the year which ended on the 31st day of December next preceding, showing the number of persons ordinarily employed below and above ground respectively, and distinguishing the different classes and ages of the persons so employed whose hours of labour are regulated by this Act, the average rate of wages of each class and the total amount of wages paid during the year, the quantity in standard weight of the mineral dressed, and of the undressed mineral which has been sold, treated or used during such year, and the value or estimated value thereof, and such other particulars as the Minister may by regulation prescribe.

Monthly or  
quarterly  
returns.

- (2) The owner or agent of every metalliferous mine shall, if required, make a similar return for the month or quarter at the end of each month or quarter of the calendar year.

Penalty.

- (3) Every owner or agent of a mine, quarry or other works who fails to comply with this section, or makes any return which is to his knowledge false in any particular, shall be guilty of an offence against this Act. R.S.O. 1927, c. 45, s. 169.

### *Plans of Workings.*

Plans to be  
produced on  
inspection of  
mine.

- 171.—(1) On any examination or inspection of a mine the owner shall, if required, produce to the Inspector, or to any other person authorized by the Minister or Deputy Minister, an accurate plan and sections of the workings of the same.

Marking  
subsequent  
progress on  
plan.

- (2) The plan and sections shall show the workings of the mine up to within six-months of the time of the examination or inspection, and the owner shall, if required by the Inspector or other authorized person, cause to be marked on the plan the progress of the workings of the mine up to the time of the examination or inspection, and shall also permit him to take a copy or tracing thereof.

Plan of  
working  
mines to be  
filed.

- (3) An accurate plan on a scale of not more than fifty feet to the inch of every working mine in which levels, crosscuts or other openings have been driven from any shaft, adit or tunnel, and of every mine consisting of a tunnel or shaft fifty feet or more in

length



length shall be made and a certified copy filed in the Department on or before the 31st day of March in each year, showing the workings of the mine up to and including the 31st day of December next preceding.

- (4) Before a mine or any part of a mine is abandoned, closed down or otherwise rendered inaccessible, all underground plans and sections shall be brought up to date and a certified copy filed in the Department. Plans to be filed before abandonment.
- (5) Failure on the part of the owner or agent of the mine to comply with any provision of this section shall be an offence against this Act. Failure to furnish plans.
- (6) Every such plan shall be treated as confidential information for the use of the officers of the Department and shall not be exhibited nor shall any information contained therein be imparted to any person except with the written permission of the owner or agent of the mine. Plans to be treated as confidential.
- (7) Every owner or agent of a mine, quarry or other works who fails to comply with this section, or makes any return which is to his knowledge false in any particular, shall be guilty of an offence against this Act. R.S.O. 1927, c. 45, s. 170, *amended*. Penalty.

#### *Powers and Duties of Inspector.*

- 172.—(1) It shall be the duty of every Inspector, and he shall have power,— Powers of Inspector.
- (a) to make such examination and inquiry as he may deem necessary to ascertain whether the provisions of this Act are complied with; and to give notice to the owner or agent in writing of any particulars in which he considers such mine or any portion thereof, or any matter, thing or practice to be dangerous or defective or contrary to the provisions of this Act, and to require the same to be remedied within the time named in such notice; Inquiries as to compliance with Act.
  - (b) to enter, inspect and examine any mine and any portion thereof at any reasonable time by day or night, but so as not to unnecessarily impede or obstruct the working of the mine. Inspection.

(c)



Stopping  
work when  
mine unsafe.

- (c) to order the immediate cessation of work in and the departure of all persons from any mine or portion thereof which he considers unsafe, or to allow persons to continue to work therein on such precautions being taken as he deems necessary;

General  
powers for  
protection  
of miners.

- (d) to exercise such other powers as he may deem necessary for ensuring the health and safety of miners and all other persons employed in or about mines, smelters, metallurgical and mining works.

Annual  
report.

- (2) It shall be the duty of every Inspector to make an annual report of his proceedings during the preceding year to the Deputy Minister.

Report to be  
laid before  
Assembly.

- (3) The annual report shall be laid before the Assembly. R.S.O. 1927, c. 45, s. 171.

Special  
report.

- 173.—(1) The Minister may direct an Inspector to make a special report with respect to any accident in or about any mine which has caused loss of life or personal injury to any person.

Inspectors  
may take  
evidence.

- (2) In conducting the inquiry the Inspector shall have power to compel the attendance of witnesses and the production of books, documents and things, and to take evidence upon oath. R.S.O. 1927, c. 45, s. 172.

Offences.

- 174.—(1) Non-compliance with any written order of an Inspector issued in accordance with section 172 shall be deemed an offence against Part VIII of this Act.
- (2) Failure to give written notice of the completion of any work in accordance with any written order of an Inspector issued under section 172 shall be deemed an offence against Part VIII of this Act.

Commence-  
ment of Act.

8. This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 9.

## An Act to encourage the Mining of Iron Ore.

*Assented to 3rd April, 1930.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Iron Ore Bounty Act, 1930*. Short title.

2. *The Iron Ore Bounty Act, 1924*, is repealed. 1924, c. 19, repealed.

3. In this Act,

(a) "Unit" shall mean one per cent. Interpretation, "Unit,"

(b) "Ton" shall mean 2,240 pounds avoirdupois. "Ton."

4. The Treasurer of Ontario may under authority of such regulations as may be made from time to time by the Lieutenant-Governor in Council, payout of the Consolidated Revenue Fund a bounty to the miners or producers of iron ore which shall be raised or mined in Ontario for a period of ten years from the date of the coming into force of this Act, at the rate of one cent for every unit of metallic iron contained in each ton of such ore, in the manner following, that is to say:

(a) on low grade iron ore when the same has been concentrated, treated or beneficiated in Ontario by mechanical means and delivered at any iron blast furnace or other works for the production of pig iron or steel and for use in the same;

(b) on iron ore in the natural or unbeneficiated condition when delivered at any blast furnace or other works for the production of pig iron or steel in the Province of Ontario, and for use in the same.

5. In ascertaining the contents of beneficiated or natural iron ore for the purpose of the bounty, the assay or analysis of the same shall be made when the ore has been dried at 212 degrees Fahrenheit. Temperature at which assay to be made.

Bounty to  
relate to  
ten years'  
earnings.

**6.** The bounty herein provided shall cease and determine with the payment of any sum or sums which shall have been earned during the said period of ten years.

Commence-  
ment of  
Act.

**7.** This Act shall come into force on a day to be named by the Lieutenant-Governor by his Proclamation.

## CHAPTER 10.

## An Act to amend The Highway Improvement Act.

*Assented to 3rd April, 1930.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Highway Improvement Act*, 1930. Short title.

2. Subsection 4 of section 12 of *The Highway Improvement Act* is repealed and the following substituted therefor: Rev. Stat., c. 54, s. 12, subs. 4, repealed.

(4) Where a county road system is established under this Act the council shall appoint three or five persons residents of the county but who need not be members of the council, who shall constitute a committee for the purpose of directing the work to be done on the county road system. County Road Committee. Appointment.

(a) Where the committee consists of three members, one member shall be appointed and hold office for a term of three years; one member shall be appointed and hold office for a term of two years, and one member shall be appointed and hold office for a term of one year, and thereafter each member shall be appointed and shall hold office for a term of three years; and where the committee consists of five members, one member shall be appointed and hold office for a term of five years; one member shall be appointed and hold office for a term of four years; one member shall be appointed and hold office for a term of three years; one member shall be appointed and hold office for a term of two years and one member shall be appointed and hold office for a term of one year, and thereafter each member shall be appointed and shall hold office for a term of five years. Term of office.

(i) A member upon the expiry of his term of office shall be eligible for re-appointment.

Removal  
from  
office.

(b) A member of the committee may be removed by a vote of two-thirds of the members of the council present and voting thereon at any regular meeting of the council.

Vacancies.

(c) Where a member of the committee is so removed or dies or resigns his office, the council may appoint some other person to fill the vacancy for the remainder of the term for which the person so removed, dying or resigning was appointed.

Warden  
*ex officio*  
member.

(d) The warden of the county for the time being shall be *ex-officio* a member of the committee and may sit and vote thereon.

Rev. Stat.,  
c. 54, s. 22,  
subs. 2,  
repealed.

3. Subsection 2 of section 22 of *The Highway Improvement Act* is repealed and the following substituted therefor:

Aid to  
bridges.

(2) The Minister may direct the payment to the corporation out of the Fund of an amount equal to forty per centum of the cost of constructing, replacing or improving such bridge in accordance with the plan approved by the Department.

Rev. Stat.,  
c. 54, s. 28,  
subs. 2,  
amended.

4. Subsection 2 of section 28 of *The Highway Improvement Act* is amended by adding at the end thereof the following words, "and the council of the urban municipality, with the approval of the Minister may by by-law provide for the issue of debentures to provide for the payment of such excess cost, and may apply the rebate payable under subsection 5, or so much thereof as may be necessary in payment of sums falling due from year to year on account of such debentures, and it shall not be necessary to obtain the assent of the electors to any such by-law nor to observe the other formalities in relation thereto prescribed by *The Municipal Act*."

Issue of  
debentures  
for cost of  
wider  
pavement,  
etc.

Rev. Stat.,  
c. 233.

Rev. Stat.,  
c. 54, s. 28,  
subs. 5,  
amended.

5.—(1) Subsection 5 of the said section 28 is amended by adding at the end of clause *a* in the said subsection the words, "provided that where the Minister is of the opinion that it is unnecessary to expend the whole or any part of the monies so received upon streets in the municipality, he may direct that the whole or any portion of such monies may be applied in payment of any outstanding debentures issued to provide for paving streets in the municipality."

Where  
rebate not  
required for  
expenditure  
on streets.

Rev. Stat.,  
c. 54, s. 28,  
subs. 5,  
amended.

(2) Subsection 5 of the said section 28 is further amended by adding thereto the following clause:

(c)

- (c) In determining the amount of such rebate payable in the year 1931 and thereafter the amount raised by the corporation of a town or village for the purpose of paying off its share of any debenture debt of the county shall not be considered. Rebate on road work in towns and villages.

6. Section 32 of *The Highway Improvement Act* is amended by inserting after the word "widening" in the fourth line, the words "improving, protecting from erosion," so that the section will now read as follows: Rev. Stat., c. 54, s. 32, amended.

32. Where, in the exercise of its powers or in the performance of its obligations under this Act, the corporation of a county finds that it is necessary to expropriate land for the purpose of opening up, widening, improving, protecting from erosion, altering or diverting a county highway, the corporation may, instead of the procedure provided by *The Municipal Act*, proceed in the manner provided by *The Public Works Act* in the case of lands taken by the Minister of Public Works and Highways for the purpose of Ontario without the consent of the owner of such lands, and the provisions of *The Public Works Act* shall *mutatis mutandis* apply, and the powers and duties of the Minister of Public Works and Highways, as set out in the said *The Public Works Act*, may be exercised and performed in the name of the corporation of the county. Expropriatory powers of county. Rev. Stat., c. 233, 52.

7. Section 39 of *The Highway Improvement Act* is amended by adding thereto the following subsections: Rev. Stat., c. 54, s. 39, amended.

- (3) Where it appears that the rate of one-half mill on the dollar provided for in subsection 2 of section 37 is not sufficient to carry out permanent or extensive work, the council of the city or town with the approval of the Minister may raise such further sums by the issue of debentures as may be deemed necessary, and may apply a portion of the proceeds of the said annual rate of one-half mill on the dollar, on paying off such debentures. Issuing city or town debentures for county suburban roads.

- (4) It shall not be necessary to obtain the assent of the electors to any by-law for the issue of debentures under this section, nor to observe the other formalities in relation thereto prescribed by *The Municipal Act*. Assent of electors not required. Rev. Stat., c. 233.

8. Section 42 of *The Highway Improvement Act* is amended by inserting after the word "member" in the third line the Rev. Stat., c. 54, s. 42, amended.

words "or an official" so that the section will now read as follows:

Member or official of municipal council not eligible as member of commission.

42. Notwithstanding anything contained in *The Municipal Act* or in any other general or special Act of this Legislature, or in any municipal by-law, a person who is a member or an official of a municipal council shall not be a member of any commission appointed under section 41.

Rev. Stat., c. 54, s. 45, subs. 1, repealed.

9. Subsection 1 of section ~~45~~<sup>46</sup> of *The Highway Improvement Act* is repealed and the following substituted therefor:

Township road subsidy.

- (1) When approved by the Department the work or expenditure of any class mentioned in the next preceding section shall be carried out in accordance with the regulations of the Department with regard thereto, and upon the completion of any such work or expenditure, the council of the township may submit to the Department an application for a provincial subsidy equivalent to forty per centum of the amount of the township funds expended thereon; but where the Minister deems it necessary in order to secure the development of an adequate plan of road construction, he may recommend that there be paid to the township such an additional amount as he may deem requisite, but the total aid so granted in any one year shall not exceed eighty per centum of the amount of the township's funds so expended, and such additional aid shall be in lieu of any other grant to which the township may be entitled under any other Act.

Cost of ferry service may be included

- (a) Where the township is an island, in estimating the amount of aid to which the township may be entitled under this Part, there may be included the whole or such proportion as the Minister may direct, of the cost of the establishing and maintenance of a ferry service between the island and the mainland by the municipal corporation of the township or its lessee or licensee.

Rev. Stat., c. 54, s. 50 (1928, c. 18, s. 5), repealed.

10. Section 50 of *The Highway Improvement Act* as re-enacted by section 5 of *The Highway Improvement Act, 1928*, is repealed.

Rev. Stat., c. 54, s. 52, subs. 2, repealed.

11. Subsection 2 of section 52 of *The Highway Improvement Act* is repealed and the following substituted therefor:

- (2) Every highway heretofore or hereafter constructed, designated and assumed in accordance with this section shall be known as "The King's Highway," and the words "The King's Highway" are substituted for the words "Provincial Highway" wherever they occur in this Act or any other Act of the Province of Ontario.

**12.** Subsection 5 of section 65 of *The Highway Improvement Act* is repealed and the following substituted therefor:

Rev. Stat.,  
c. 54, s. 65,  
subs. 5,  
repealed.

- (5) Where it is deemed by the Minister desirable and expedient an agreement may be entered into with the corporation of an urban municipality not separated from the county, for the construction, improvement, maintenance and repair therein by the municipality or by the Department of any highway which is a connecting link or extension of a provincial highway.

Agreement  
for work on  
connecting  
roads for  
Highway.

**13.** Subsection 8 of section 65 of *The Highway Improvement Act* as enacted by section 5 of *The Highway Improvement Act, 1929*, is repealed.

Rev. Stat.,  
c. 54, subs. 8  
(1929,  
c. 17, s. 5),  
repealed.

**14.** This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-  
ment of Act.



## CHAPTER 11.

An Act to make further provision for  
Highway Improvement.

*Assented to 3rd April, 1930.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title,

**1.** This Act may be cited as *The Highway Improvement Fund Act, 1930.*

Annual  
appropriation of  
\$3,000,000.

**2.** In addition to all sums of money heretofore set apart and appropriated by the Legislature for the improvement of public highways, there shall be placed to the credit of the Highway Improvement Fund in every fiscal year for a period of five years, commencing with the current fiscal year, the sum of \$3,000,000 to be chargeable to and payable out of the Consolidated Revenue Fund.

Commence-  
ment of  
Act.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 12.

## An Act to amend The Power Commission Act.

*Assented to 3rd April, 1930.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Power Commission Act*, Short title. 1930.

**2.** *The Power Commission Act* is amended by adding thereto the following section: Rev. Stat.,  
c. 57,  
amended.

11a.—(1) An account to be known as the “Stabilization Fund Account” shall be opened and maintained on the books of the Commission and there shall annually be placed to the credit of such account,— Stabilization  
Fund  
Account.

(a) an amount equal to ten cents per horse-power per annum on all electrical power or energy sold by the Commission in Ontario, such amount to be deducted from the revenues of the Commission,— what to  
be credited

(b) Interest at such rates as the Commission shall deem equitable and just upon balances remaining from time to time to the credit of the account.

(2) Costs and expenses incurred by the Commission which in the opinion of the Commission are for the protection or advancement of the interests in the undertakings under its supervision or control and are not properly chargeable to any system or to any municipal corporation under contract with the Commission may be charged by the Commission to the Stabilization Fund Account. Costs and  
expenses  
which may  
be charged to  
account.

**3.** Section 14 of *The Power Commission Act* as amended by section 2 of *The Power Commission Act, 1928*, is amended by adding thereto the following subsection: Rev. Stat.,  
c. 57, s. 14,  
amended.

(1a)

Repayments  
to Province  
out of funds  
in hands of  
Commission.

(1a) Notwithstanding anything in this Act, the Commission may in addition to the repayments out of sinking fund provided for under subsection 1 make further repayments on account of the advances by the Province to the Commission from time to time out of funds in its hands.

Rev. Stat.,  
c. 57, s. 20,  
subs. 1,  
amended.

4. Subsection 1 of section 20 of *The Power Commission Act* is amended by inserting clause (aa) after clause (a) and by inserting clauses (bb) and (bbb) after clause (b):

To acquire  
Dominion  
Power and  
Transmission  
Company  
Limited.

(aa) Acquire by purchase the whole or any part of the property, assets and undertaking of Dominion Power and Transmission Company Limited, including shares held or owned by said company in any other company or companies of any kind or nature whatsoever, and to acquire the whole or any part of the properties, assets and undertakings of such other company or companies and to maintain and operate any property or properties so acquired.

Works  
in inter-  
provincial  
boundaries.

(bb) Acquire by purchase, lease or otherwise, lands, waters, water privileges, water powers and works upon or adjacent to the boundary line between Ontario and any other province and situate in Ontario or in such other province, or partly in one and partly in the other of them, and erect, construct, maintain and operate upon any lands so acquired, works for the production and transmission of electrical power or energy, and enter into agreements with the Crown as representing such other province, or with any commission or department of the Government of such other province, or with any corporation or person interested in or affected by such works as to the terms and conditions upon which such works shall be carried on and any rights so acquired be exercised.

Acquiring  
shares in  
companies  
operating  
on such  
boundaries.

(bbb) Acquire by purchase in the open market or otherwise shares or stock of any company owning or controlling any such lands, waters, water privileges, water powers or works.

Rev. Stat.,  
c. 57, s. 20,  
subs. 1,  
amended,

5. Subsection 1 of section 20 of *The Power Commission Act* is amended by inserting the following clause:

Purchasing  
shares in  
companies.

(gg) Acquire from time to time by purchase in the open market or otherwise, shares or stock in or the securities of any incorporated company carrying on the business of developing, distributing or transmitting

electrical

electrical power or energy and for the purposes of this Act the acquisition of such shares, or stock, or securities shall be an investment in works.

6. Subsection 3 of section 20 of *The Power Commission Act* as re-enacted by section 4 of *The Power Commission Act, 1929*, is amended by adding thereto the following clause:

Rev. Stat.,  
c. 57, s. 20,  
subs. 3  
(1929, c. 20,  
s. 4),  
amended.

- (a) The judge, upon an inquiry under this section, shall have the like powers as a judge sitting in court including the power to compel the attendance of witnesses, to hear evidence on oath and to require the production of books, papers, documents, matters and things and the order of the judge shall be enforceable in the manner provided by *The Judges' Orders Enforcement Act*.

Judge's  
powers on  
inquiry as to  
apportion-  
ment of costs  
of waterway  
improve-  
ment.

Rev. Stat.,  
c. 111.

7. *The Power Commission Act* is amended by adding thereto the following section:

Rev. Stat.,  
c. 57,  
amended.

- 43a. Where the Commission under an order of the Lieutenant-Governor in Council has been authorized to acquire lands or any other property, or to construct works for the purpose of developing, transmitting or distributing electrical power or energy

Postpone-  
ment of col-  
lection of  
costs and  
charges for  
works under  
certain cir-  
cumstances.

- (a) in territory without municipal organization, or
- (b) in territory within which the revenue from contracts entered into with municipal corporations and others is insufficient, at rates for power which the Commission deems reasonable, to meet operating expenses, costs of maintenance and to provide interest and sinking fund upon the cost of the works, or
- (c) in territory where the Commission has reported that it is advisable that works should be constructed or extended in anticipation of a future demand for power,

the Lieutenant-Governor in Council may authorize the Commission to postpone the collection of costs and charges payable in respect of electrical power or energy supplied under contracts entered into with the Commission or any part thereof, and to carry the whole or any part or parts of such costs and charges, with interest thereon, to a special suspense account for such period or periods as may be fixed

by

by Order-in-Council, and after the expiration of such period or periods

- (a) to fix and determine the amount owing in respect of such costs and charges with accumulated interest thereon;
- (b) to charge such costs and charges, with accumulated interest thereon, or so much thereof as the Commission shall deem just and equitable, to the capital costs of the works;
- (c) to charge such costs and charges, with accumulated interest thereon, or so much thereof as the Commission may deem just, as cost of power supplied by the commission;
- (d) If at any time the revenues received by the Commission from operation of the works shall be sufficient, at rates for power deemed reasonable by the commission, to meet operating charges, costs of maintenance, interest and sinking fund, and provide a surplus—such surplus, or so much thereof as the Commission may deem proper, shall be applied in reduction of any sums added to the capital costs of the works as provided for in clause (b) above;
- (e) If the revenues from such works be insufficient to meet operating charges, costs of maintenance and interest and sinking fund on the costs of the works, any deficits so arising may, if the Commission shall so require, be charged and paid out of the stabilization fund account, but payment of any such amount out of the stabilization fund account shall in no way relieve any municipal corporation from its obligations under contract with the Commission and the works shall be and remain vested in the Commission until the amounts charged to the stabilization fund, with accumulated interest thereon, shall have been fully repaid in such fund.

Rev. Stat.,  
c. 57,  
amended.

8. *The Power Commission Act* is amended by adding thereto the following section:

Granting of  
franchises  
by municipi-  
palities  
under con-  
tract with  
Commission  
prohibited.

44a.—(1) Where a municipal corporation has heretofore entered into or hereafter enters into a contract with the Commission to take power, either at the time of entering into the contract or, at any time thereafter,

exclusively

exclusively from the Commission, the municipal corporation shall not grant to any corporation or person any right or franchise to erect or lay down poles, wires, conduits or any other structures or works for the distribution of electrical power or energy in the municipality, either for the use of the municipal corporation or the inhabitants generally, or of any particular person, and every such right or franchise and every agreement therefor granted or entered into with or without the assent of the electors shall be null and void.

- (2) Where it is alleged that any individual or corporation has erected or laid down upon, over or under any street or other highway in a municipality, any poles, wires, conduits or other structures or works for the transmission or distribution of electrical power or energy without the consent of the municipal corporation lawfully given under a by-law of the council thereof, or is continuing to maintain or use any such structures or works upon, over or under any such street or highway without lawful authority, the Lieutenant-Governor in Council upon the complaint of the municipal corporation or of any ratepayer, or of the Commission, may direct an enquiry by the Railway and Municipal Board or by a commission composed of two judges of the Supreme Court, and the Board or commission may enquire into the matter, and if, as a result of the enquiry it is found that such structures or works are upon, over or under any street or highway without lawful authority, the Board or Commission may order the removal of all such poles, wires, conduits or other structures upon such notice and upon such terms and conditions as the Board or commission may deem just or reasonable, and an order made by a commission under this subsection may be filed with the Registrar of the Supreme Court and shall have the same force and effect and be enforceable in the like manner as a judgment of the Supreme Court.

Proceedings for ascertaining rights where franchise claimed.

- (a) Any such structure or work shall be deemed to be upon, over or under any street or highway without lawful authority where no such right or franchise is found to have existed or where the term for which the right or franchise was originally granted has expired, or where such right or franchise was not granted by by-law in compliance with the statutes relating thereto, and no such right

When work to be deemed unlawful upon the highway

or franchise shall be deemed to have been acquired by lapse of time or by any express or implied acquiescence on the part of the municipal corporation or of any other municipal corporation, company or individual formerly owning or controlling such street or highway or the lands included therein.

Rev. Stat.,  
c. 57, s. 56,  
(1928, c. 19,  
s. 3),  
amended.

**9.** Section 56 of *The Power Commission Act* as re-enacted by section 3 of *The Power Commission Act, 1928*, is amended by adding thereto the following clause:

Cost  
of power  
to municip-  
ality.

(d) An amount equal to ten cents per horse-power per annum on all electrical power or energy sold by the Commission in Ontario, to be paid into the stabilization fund account provided for in section 11a.

Rev. Stat.,  
c. 57, s. 82,  
amended.

**10.** Section 82 of *The Power Commission Act* is amended by adding thereto the following subsections:

Powers  
as to fixing  
municipal  
rates.

(2) Notwithstanding anything in this Act contained, the Commission may from time to time—when in its opinion it is in the interests of the municipal corporations under contract with the Commission so to do—make orders fixing the rates to be charged by the corporation or commission of any municipality having a population of less than 200,000 for electrical power or energy supplied by the Commission.

Where  
amount  
collected  
proves in-  
sufficient.

(3) In a municipality where the rates fixed by the Commission under subsection 2 above prove insufficient to provide for the costs of supplying electrical power or energy in such municipality, the Commission may charge the deficit to the stabilization fund account and may from time to time impose such terms as to repayment of the amount so charged together with interest thereon, or any part thereof, or may relieve the municipality from obligation to repay the same to such extent as to the Commission may seem just and equitable.

Rev. Stat.,  
c. 57, s. 97,  
subs. 2  
amended.

**11.** Subsection 2 of section 97 of *The Power Commission Act* is amended by striking out the words "one hundred thousand" in the first line, and inserting in lieu thereof the words "sixty thousand," and by striking out the words "may, if the council of the city by by-law so declares" in the eighth line and inserting in lieu thereof the word "shall."

By-laws,  
confirmed.

**12.** By-laws numbers 2915 and 2916 of the corporation of the city of Belleville; by-laws numbers 1948 and 1959 of the corporation of the city of Oshawa; by-law number 6581 of the

corporation



corporation of the city of Ottawa; by-law number 2832 of the corporation of the city of Peterborough; by-law number 1806 of the corporation of the town of Lindsay; by-law number 1316 of the corporation of the town of Napanee; by-laws numbers 1409 and 1410 of the corporation of the town of Port Hope; by-laws numbers 790, 791, 796, 798 and 799 of the corporation of the town of Southampton; by-law number A 192 of the corporation of the village of Brighton; by-law number 676 of the corporation of the township of Adjala; by-law number 168 of the corporation of the township of Ameliasburg; by-laws numbers 1036 and 1042B of the corporation of the township of Bastard and Burgess South; by-law number 697 of the corporation of the united townships of Belmont and Methuen; by-law number 631 of the corporation of the township of Cartwright; by-law number 986 of the corporation of the township of Crosby South; by-law number 195 of the corporation of the township of Crowland; by-law number 588 of the corporation of the township of East Luther by-law number 1038 of the corporation of the township of East Whitby; by-law number 1053 of the corporation of the township of East Zorra; by-law number 6 of 1929 of the corporation of the township of Egremont; by-law number 525 of the corporation of the township of Essa; by-law number 3342 of the corporation of the township of Etobicoke; by-law number 208 of the corporation of the township of Front of Escott; by-law number 859 of the corporation of the township of Front of Leeds and Lansdowne; by-law number 181 of the corporation of the township of Front of Yonge; by-law number 341 of the corporation of the township of Gosfield South; by-law number 5 of 1929 of the corporation of the township of Grey; by-law number 335 of the corporation of the township of Hibbert; by-law number 409 of the corporation of the township of Hillier; by-law number 3 of 1929 of the corporation of the township of Howick; by-law number 680 of the corporation of the township of Kitley; by-law number 95 of the corporation of the township of Lochiel; by-law number 116B of the corporation of the township of Loughborough; by-law number 1040 of the corporation of the township of Manvers; by-law number 8 of 1929 of the corporation of the township of McKillop; by-law number 688 of the corporation of the township of Medorte; by-law number 12 of 1929 of the corporation of the township of Morris; by-law number 341 of the corporation of the township of Morrison; by-law number 335 of the corporation of the township of North Walsingham; by-law number 1198 of the corporation of the township of Orillia; by-law number 10 of 1929 of the corporation of the township of Osnabruck; by-law number 351 of the corporation of the township of Oxford; by-law number 6 of 1929 of the corporation of the township of Pittsburgh; by-law number 728 of the corporation of the township of Plantagenet North; by-law number 138 of the corporation of the township of



Plantagenet South; by-law number 12 of 1929 of the corporation of the township of Portland; by-laws numbers 843, 849 and 854 of the corporation of the township of Rear of Leeds and Lansdowne; by-law number 724 of the corporation of the township of South Dumfries; by-law number 456 of the corporation of the township of South Grimsby; by-law number 6 of 1928 of the corporation of the township of Stanley; by-law number 1088 of the corporation of the township of Toronto; by-laws numbers 532 and 553 of the corporation of the township of Tossorontio; by-law number 130 of 1929 of the corporation of the township of Tuckersmith; by-law number 142 of the corporation of the township of West Ferris; by-law number 1124 of the corporation of the township of Yarmouth; and all debentures issued or to be issued or purporting to be issued under any of the said by-laws which authorize the issue of debentures are confirmed and declared to be legal, valid and binding upon such corporations and the ratepayers thereof respectively and shall not be open to question upon any ground whatsoever notwithstanding the requirements of *The Power Commission Act* or the amendments thereto or any other general or special Act of this Legislature.

Commence-  
ment of  
**Act.**

**13.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 13.

## An Act respecting The Central Ontario Power System.

*Assented to 3rd April, 1930.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Central Ontario Power Act, 1930.* Short title.

2. All and every part of the property, assets, rights, contracts, privileges, licenses, franchises, undertakings and businesses and other properties vested in His Majesty the King as representing the Province of Ontario, by an Act passed in the sixth year of His Majesty's reign, chaptered 18, and still so vested, together with any property, assets, rights, contracts, privileges, licenses, franchises, undertakings and businesses and other properties, other than pulpwood limits in the township of Bruton, thereafter acquired by His Majesty the King in the right of the Province of Ontario or by The Hydro-Electric Power Commission of Ontario (hereinafter referred to as the "Commission"), in connection with or for the purpose of carrying on and administering such first-mentioned property, assets, rights, contracts, privileges, licenses, franchises, undertakings and businesses (all of which are hereinafter referred to as "the properties") are hereby declared to be transferred to and vested in the Commission. Central Ontario System vested in Commission.

3. The properties declared to be vested in the Commission under section 2 shall be deemed for all purposes to have been acquired by the Commission on the 1st day of November, 1928, and thereafter such properties shall be deemed to have been and shall be held, operated, used and maintained by the Commission under the provisions of *The Power Commission Act* and of this Act. Transfer to date from 1st November, 1928. Rev. Stat., c. 57.

4. There shall be chargeable to the Commission in the books of the Treasurer of Ontario the sum of \$15,173,235.21 as the purchase price of the said properties as of the 1st day Price to be paid for system.

of November, 1928, and the said sum, together with all advances on capital account thereafter made by the Province to the Commission in respect of the said properties, less repayments by the Commission to the Province in respect thereof, shall be a debt due from the Commission to the Province and shall be repayable under the terms of *The Power Commission Act* in the same manner and under the same conditions, both as to the principal indebtedness and as to interest, as other indebtedness of the Commission to the Province of Ontario.

Rev. Stat.,  
c. 57.

Power to  
hold and  
operate or  
sell to mun-  
icipalities.

5.—(1) The Commission may use and enjoy or exercise any of the said properties and may carry on any undertaking or business acquired under section 2, or may sell or dispose of any of them to a municipal corporation or to any company or individual as the Commission may deem most advantageous and the Commission is declared to have been so empowered as from 1st day of November, 1928.

Taking  
municipal  
debentures  
in payment.

(2) Where any sale has heretofore been, or is hereafter, made under the provisions of subsection 1 of this section to a municipal corporation, the Commission has been and is empowered to accept debentures of such corporation as payment in whole or in part therefor, and the Commission may hold and collect such debentures, or may invest the reserve funds of the Commission therein, or may sell or dispose of the same upon such terms as the Commission may see fit.

Proceeds  
of sale,—  
application  
of.

(3) Any sums realized by the Commission on the sale of any property made under subsection 1 or the sale of any debentures made under subsection 2, and any surplus funds in the hands of the Commission as at the 1st day of November, 1928, may be paid over by the Commission to the Treasurer of Ontario in reduction of the Commission's indebtedness mentioned in section 4.

Contracts  
for supply of  
power from  
Central  
System  
subject to  
Rev. Stat.,  
c. 57.

6.—(1) Every contract heretofore entered into by the Commission with each of the municipal corporations mentioned in schedule "A" to this Act, for a supply of electrical power or energy to such corporation or to customers therein, shall as and from the 1st day of November, 1928, notwithstanding anything contained in any such contract, be deemed to have been and shall be subject to the provisions of *The Power Commission Act* and more particularly to section 56 thereof.

Application  
of Rev. Stat.,  
c. 57 as to  
advances by  
Province.

(2) All advances on capital account made by the Province of Ontario to the Commission in respect of the properties transferred to and vested in the Commission under the provisions of this Act from and after the said 1st day of November, 1928, and all expenditures made by the

Commission thereout are declared to have been made under and in conformity with the provisions of *The Power Commission Act*.

7. The Lieutenant-Governor in Council may authorize the Commission to postpone the collection or setting apart of any sums on sinking fund account to provide for the cost of any of the properties acquired by the Commission under this Act, for such period not exceeding ten years as may be deemed advisable. Postponement of sinking fund charges.

8. In addition to the rights, powers and privileges under *The Power Commission Act*, the Commission shall continue to have all the rights, powers and privileges in respect of the properties herein transferred which were granted to and vested in the Commission under the provisions of the said Order of the Lieutenant-Governor in Council, dated the 5th day of May, 1916, herein referred to. Powers under order-in-council of May 5th, 1916, preserved.

9. A copy of this Act shall be registered in the general register of any Registry or Land Titles Office in which is registered or recorded the title to any land affected by the terms of this Act, and every Registrar of Deeds or Master of Titles, as the case may be, shall, upon the request of the Commission, enter in the abstract index of any parcel or tract of land, the title to which is in any way affected by this Act, a note, entry or memorandum showing that the title thereof has been changed or affected by this Act and referring to the date and registration number in the general index where this Act has been recorded or registered as aforesaid. Registration of Act.

10. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

## SCHEDULE "A."

## CITIES

Belleville

Oshawa

Peterborough

## TOWNS

Lindsay

Napanee

Picton

Port Hope

Whitby

## VILLAGES

Bloomfield  
MarmoraBrighton  
NorwoodHavelock  
StirlingLakefield  
WarkworthMadoc  
Wellington

## TOWNSHIPS

Ameliasburg  
Alnwick  
Asphodel  
Belmont and Methuen  
Brighton  
Camden, East  
Caven  
Clarke  
Darlington  
Douro  
Ernestown  
Fredericksburg, North  
HamiltonHaldimand  
Hope  
Hallowell  
Hillier  
Kingston  
Loughboro  
Manvers  
Murray  
Monaghan, North  
Otonabee  
Portland  
PittsburgPickering  
Percy  
Rawdon  
Richmond  
Sidney  
Seymour  
Smith  
Thurlow  
Tyendenaga  
Whitby  
Whitby, East

## CHAPTER 14.

An Act to provide for Granting Aid towards the  
Installation of Electrical Works in Rural  
Power Districts.

*Assented to 3rd April, 1930.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Rural Power District Loans Act, 1930.* Short title.

**2.** In this Act,—

Interpreta-  
tion.

(a) "Commission" shall mean The Hydro-Electric Power Commission of Ontario. "Commis-  
sion."

(b) "Regulations" shall mean regulations made under the authority of this Act. "Regula-  
tions."

**3.—(1)** The Lieutenant-Governor in Council may set apart out of the Consolidated Revenue Fund a sum not exceeding \$2,000,000 for the purpose of providing advances towards the installation of electrical services in rural power districts. Fund of  
\$2,000,000  
set apart to  
aid installa-  
tion in rural  
power  
districts.

(2) The Lieutenant-Governor in Council may from time to time direct that such payments be made to the Commission out of the moneys so set apart as the Commission may report to be necessary in order to enable advances to be made under this Act. Payments  
out of fund  
to Commis-  
sion.

(3) Subject to the regulations the installation in respect of which aid may be granted under this Act shall include,— What instal-  
lation may  
include.

(a) wiring from the transmission or distribution lines of the Commission into and throughout dwellings,

barns

barns, outhouses and any other works which may from time to time be specified in regulations made under the authority of this Act;

- (b) such transformers, motors and other appliances as may be necessary or expedient for any industrial, agricultural or domestic purposes or which may be specified in the regulations.

Application  
for advance.

4.—(1) A person assessed as owner and being the actual owner of lands and premises in a rural power district desiring to procure an advance under this Act may make application, in the form prescribed by the regulation, to the Commission.

Proofs to  
accompany  
application.

(2) The application shall not be acted upon unless it is accompanied by the declaration of the applicant stating that he is the actual owner of the lands and premises mentioned in the application and that the same is free from encumbrance, or if the lands and premises, or any part thereof, are mortgaged or otherwise encumbered, stating the name and address of the mortgagee or encumbrancer, and where it has been assigned, the name of the assignee of the mortgage or encumbrance, with his address.

Notice to  
encum-  
brancers.

(3) Where it appears that there is a mortgage or encumbrance upon the lands or premises or any part thereof the application shall not be disposed of until two weeks after the mortgagee, encumbrancer or assignee has been notified of the application by registered letter sent to him by the secretary of the Commission to his last-known address.

Limit of  
amount of  
advance.

5. An advance under this Act shall not exceed in amount the sum of \$1,000 in the case of any one owner, and every such advance shall be repayable with interest within twenty years at the furthest.

Control as  
to installa-  
tion and  
specifica-  
tions.

6. Every installation in respect of which an advance is made under this Act shall be made in such manner and according to such specifications as the Commission may prescribe and the work of installation shall be subject to the approval of the Commission and no advance shall be made under this Act except upon the recommendation of the Commission.

Repayment  
of advance.

7.—(1) Every advance made under this Act shall be a debt due from the owner of the lands and premises upon which the installation is made to the Commission and shall be repayable to the Commission at the time and in such manner as may be prescribed by the regulations, and the amounts so received by the Commission shall be transmitted to the Treasurer of Ontario.



(2) Where default is made in the repayment of any advance under this Act, or in any instalment thereof, or in the payment of interest thereon, the Commission may give notice in writing of such default to the clerk of the municipality in which the lands and premises are situate, and the amount in default shall thereupon be inserted in the collectors' roll as a tax in the same manner as in the case of municipal taxes, and when collected shall be paid over by the treasurer of the municipality to the Commission.

Collection as taxes in case of default.

8.—(1) The Commission shall cause a notice of the advance, in the form prescribed by the regulations, to be registered in the proper registry or land titles office and such registration shall be notice to subsequent purchasers or mortgagees or other encumbrancers that the advance made under this Act is a lien or charge upon the lands and premises owned by the applicant.

Registration of notice of lien.

(2) Where notice has been registered under subsection 1 and the advance has been subsequently repaid, a certificate of repayment in the form prescribed by the regulations, may be delivered to the owner of the lands and premises and may be registered by him, and such registration shall have the effect of discharging the lien or charge.

Registration of certificate of repayment.

(3) The fee for registering a notice or certificate of repayment under this section shall be fifty cents.

Fee.

9.—(1) The property in any works installed in respect of which an advance is made under this Act shall, while such advance remains unpaid, be in the Commission, and in addition to any other remedy, in case of default in repayment of the advance, or of any instalment thereof, or in the payment of interest thereon, the Commission may by its officers, servants and agents enter upon the premises and take possession of and remove transformers, motors or other appliances or fixtures forming part of such installation.

Property in works to be in Commission until advance repaid.

(2) A chattel mortgage, lien note or other instrument registered or filed, or any judgment or other legal process shall not have priority over the lien created by an advance from the Commission under this Act.

Priority over lien note, etc.

10. Subject to the provisions of this Act the Lieutenant-Governor in Council may make regulations prescribing the terms and conditions upon which advances may be made under this Act and generally for the better carrying out of the provisions of this Act.

Regulations.

11. This Act shall come into force on the day upon which it receives the Royal Assent.

Commencement of Act.

## CHAPTER 15.

## An Act respecting Service Charges in Rural Power Districts.

*Assented to 3rd April, 1930.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Rural Power District Service Charge Act, 1930*.

Fixing  
maximum  
service  
charge.

2. Notwithstanding anything contained in any statute or municipal by-law or contract the Lieutenant-Governor in Council, upon the recommendation of The Hydro-Electric Power Commission of Ontario, may from time to time fix a maximum service charge for any class of service rendered by the said Commission in a rural power district.

Where  
deficit arises  
under  
maximum  
service  
charge.

3.—(1) Where such maximum service charge in the case of any rural power district is not sufficient to meet the necessary cost of the service as specified by the Commission, the deficit shall be chargeable to and payable out of the Consolidated Revenue Fund.

Recouping  
Province  
out of  
subsequent  
surplus.

(2) Payments made out of the Consolidated Revenue Fund under subsection 1 on account of any rural power district shall be charged to that rural power district in a special account to be known as the "Rural Power Service Suspense Account" in the books of the Treasurer of Ontario and any surplus thereafter arising from any maximum service charge in that rural power district shall be paid over to the Treasurer of Ontario and placed to the credit of the rural power district in such suspense account until the deficit is extinguished.

Maximum  
service  
charge to  
remain in  
force until  
deficit paid.

(3) Where a deficit arises in any rural power district owing to the application of the maximum service charge under this section, the maximum service charge as fixed from time to time by the Lieutenant-Governor in Council shall remain in force and be charged in that rural power district until the deficit is extinguished.

Commence-  
ment of Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent and shall have effect as from the 1st day of January, 1930.

## CHAPTER 16.

The Power Commission and Companies  
Transfer Act, 1930.*Assented to 3rd April, 1930.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Power Commission and Companies Transfer Act, 1930.* Short title.

**2.** The agreement dated the 31st day of May, 1929, and the indenture dated the 29th day of June, 1929, between M. J. O'Brien, Limited, and The Hydro-Electric Power Commission of Ontario, are hereby confirmed and declared to be legal, valid and binding upon the parties thereto. Agreement and Indenture between M. J. O'Brien Limited, and Commission confirmed.

**3.** All and every part of the properties, assets, contracts, easements, leases, rights, privileges, licenses, franchises and undertakings agreed to be sold to the said Commission by the said agreement dated 31st day of May, 1929, or conveyed or purported to be conveyed to the said Commission by the said indenture dated the 29th day of June, 1929, shall be and shall be deemed to have been from the said 29th day of June, 1929, vested in and the property of the said Commission, free from all liens, charges and encumbrances save as provided in the said indenture dated the 29th day of June, 1929. Property conveyed by M. J. O'Brien Limited, to Commission vested in Commission.

**4.** The Commission is authorized and empowered to make with Wahnapiitae Power Company, Limited, a contract for the sale and transfer to the Commission of all the properties, rights, assets, franchises and undertakings of the said Wahnapiitae Company and of its subsidiary companies—Upper Wahnapiitae River Improvement Company, Limited, and The Wahnapiitae Boom and Timber Slide Company, Limited, and every such sale and transfer shall be legal, valid and binding upon the parties thereto and upon *cestuis que trustent* under the indenture of mortgage dated the 1st day of November, 1924, given by The Wahnapiitae Power Company, Commission authorized to contract with Wahnapiitae Company for transfer of assets.

Limited

Limited, to Montreal Trust Company, to secure an issue of bonds of the said Wahnapiitae Company, and shall not constitute a breach of any covenant contained in such indenture of mortgage, nor cancel, annul or affect in any manner any contract entered into, or any franchise or right held by the said Wahnapiitae Company prior to such sale and transfer, but such sale and transfer shall be subject to the said indenture of mortgage and to the bonds secured thereby, and to all rights by such indenture of mortgage and bonds reserved.

Effect of  
transfer.

5. Upon the execution and delivery of said agreement and transfer all the properties, rights, assets and franchises of the Wahnapiitae Power Company, Limited, Upper Wahnapiitae River Improvement Company, Limited, and The Wahnapiitae Boom and Timber Slide Company, Limited, shall be vested in and be the property of the Commission, subject to the said indenture of mortgage and to the bonds secured thereby, and to all rights by such indenture of mortgage and bonds reserved but otherwise free from all liens, charges and encumbrances, save as in the said contract for sale and transfer.

Commission  
shall have  
same power  
to operate.

Rev. Stat.,  
c. 57.

6. In addition to the powers, rights and privileges under *The Power Commission Act*, the Commission as from the respective date of transfer shall have and hold and may exercise, enforce and enjoy all the rights, powers and privileges in respect to the properties, assets, contracts, easements, leases, rights, privileges, licenses, franchises and undertakings transferred to and vested in the Commission and referred to in sections 3, 4 and 5 which the company owning or holding the said properties, assets, contracts, easements, leases, rights, privileges, licenses, franchises and undertakings had, held, exercised, enforced or enjoyed before such transfer to the said Commission.

Commence-  
ment of Act.

7. This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 17.

## An Act respecting The Sandwich, Windsor and Amherstburg Railway.

*Assented to 3rd April, 1930.*

**W**HEREAS pursuant to agreement dated 14th January, <sup>Preamble.</sup> 1920 made between Detroit United Railway, of the first part, The Hydro-Electric Power Commission of Ontario, of the second part; Sandwich, Windsor and Amherstburg Railway, of the third part, and The Windsor and Tecumseh Electric Railway Company, of the fourth part, which agreement by virtue of *The Hydro-Electric Railway Act, 1920* is legal, valid and binding upon the parties thereto, The Hydro-Electric Power Commission of Ontario has acquired all the assets, undertakings and property of every kind and nature of the said Sandwich, Windsor and Amherstburg Railway and The Windsor and Tecumseh Electric Railway Company; and whereas pursuant to and upon the terms and conditions more particularly set forth in an agreement dated 1st January, 1920 and amendments thereof, made between The Hydro-Electric Power Commission of Ontario and the municipal corporations of the township of Sandwich East, township of Sandwich West, city of East Windsor (formerly the town of Ford City) town of Walkerville, town of Sandwich, town of Ojibway, town of Amherstburg and city of Windsor, which agreement by virtue of *The Hydro-Electric Railway Act, 1920* is legal, valid and binding upon the parties thereto, the said Commission has constructed and equipped and is operating an electric railway which, as more particularly provided in said agreement, is vested in said Commission, on behalf of the said municipal corporations and certain other municipal corporations, namely, the town of Tecumseh and the town of Riverside, comprising territory formerly included in the township of Sandwich East, and the town of LaSalle, comprising territory formerly included in the township of Sandwich West, which additional municipal corporations have subsequently become parties to the said agreement; and whereas the property and assets comprising the said electric railway being operated by The Hydro-Electric Power Commission of Ontario as aforesaid consist of all the assets, undertaking and property of the said Sandwich, Windsor and Amherstburg Railway and The Windsor and Tecumseh Electric Railway Company acquired by The Hydro-Electric Power Commission

of Ontario under said agreement dated 14th January, 1920, together with the improvements, additions and extensions thereof and thereto made by The Hydro-Electric Power Commission of Ontario pursuant to said agreement dated 1st January, 1920, and amendments thereof; and whereas pursuant to said agreement dated 1st January, 1920, and amendments thereof The Hydro-Electric Power Commission of Ontario has from time to time issued its bonds to an aggregate principal amount of five million eight hundred and sixteen thousand two hundred and five dollars (\$5,816,205) in the following respective amounts, bearing date, carrying interest, and maturing on the dates hereinafter mentioned, namely:

Principal amount of Bonds issued	Interest Rate	Date	Date of Maturity
\$2,100,000.00.....	4½%	1st April, 1920	1st April, 1960
900,000.00.....	6%	1st July, 1921	1st July, 1961
966,205.00.....	5%	1st Sept. 1923	1st Sept. 1945
750,000.00.....	5%	1st July, 1925	1st July, 1945
100,000.00.....	5%	1st Sept. 1925	1st Sept. 1945
1,000,000.00.....	5%	15th July, 1926	15th July, 1946
<hr/>			
\$5,816,205.00.....			

and whereas the said bonds issued by the said Commission as aforesaid to said aggregate principal amount of five million eight hundred and sixteen thousand two hundred and five dollars (\$5,816,205) have been guaranteed as to the payment of both principal and interest by the Province of Ontario; and whereas the municipal corporations, parties to said agreement dated 1st January, 1920, and amendments thereof, pursuant to requests by the said Commission from time to time in respect of said bonds issued by said Commission have, in accordance with said agreement, issued and deposited with said Commission debentures of said corporations to the aggregate principal amount of five million eight hundred and sixteen thousand two hundred and five dollars (\$5,816,205), which debentures under said agreement are held by said Commission as collateral security for the payment of said bonds of the Commission to be disposed of in trust for the holders of said bonds;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.      **1.** This Act may be cited as *The Sandwich, Windsor and Amherstburg Railway Act, 1930.*

Interpretation.      **2.** In this Act,—

“Corporations.”      (a) “Corporations” shall mean the municipal corporations of the township of Sandwich East, township of

Sandwich West, town of Walkerville, town of Sandwich, town of Ojibway, town of Amherstburg, town of Tecumseh, town of Riverside, town of La Salle, city of East Windsor (formerly the town of Ford City), and city of Windsor, and any additional municipal corporations which may from time to time become parties to the agreement between the corporations and the company referred to in section 7 of this Act; and "Corporation" shall mean one of the "Corporations;"

- (b) "Railway" or "Sandwich, Windsor and Amherstburg Railway" shall mean all the assets, undertakings and property of every kind and nature formerly belonging to the Sandwich, Windsor and Amherstburg Railway and The Windsor and Tecumseh Electric Railway Company, and acquired by The Hydro-Electric Power Commission of Ontario pursuant to said agreement dated 14th January, 1920, and now being operated by The Hydro-Electric Power Commission of Ontario on behalf of said corporations, and every improvement, addition and extension thereof and thereto heretofore or hereafter made;
- (c) "Commission" shall mean The Hydro-Electric Power <sup>"Commission."</sup> Commission of Ontario;
- (d) "Bonds of the Commission" shall mean the bonds <sup>"Bonds of the Commission."</sup> heretofore issued by the Commission as aforesaid in respect of the railway and which may be from time to time outstanding;
- (e) "Company" shall mean the Sandwich, Windsor and Amherstburg Railway Company created a body corporate under the provisions of this Act.

**3.—(a)** There is hereby created and constituted a body corporate and politic under the name of the "Sandwich, Windsor and Amherstburg Railway Company," consisting of as many members as shall be appointed by the corporations. Each of the corporations may by by-law appoint one member who, subject to his removal by the corporation which appointed him, shall hold office for three years and until his successor is appointed. The member appointed by any corporation may at any time for any cause be removed from office by such corporation by by-law passed with the affirmative vote of two-thirds of all the members of the council of such corporation at a meeting specially called for



considering such by-law. When and so often as a member of the company shall die, resign, be removed from office, or become unable to act, the council of the corporation which appointed such member shall by by-law forthwith appoint his successor. Every member of the company shall be a resident of the municipality represented by him and in case any member shall cease to reside in such municipality he shall be unable to act as a member of the company. Any member of the council of any of the corporations shall be eligible for appointment as a member of the company. A majority of the members shall form a quorum for the transaction of business. The first meeting of the company may be called by the member appointed by the city of Windsor by written notice mailed to each of the other members five days before the date fixed for such meeting, and at such first meeting the company may appoint one of its members as chairman and another as vice-chairman.

Expenses of  
administration.

(b) All expenses of administration of the company and all gratuities, salaries and other remuneration of the members and officers of the company may to such amount as shall be approved by the commission, be paid by the commission as part of the working expenditure of the railway.

By-laws.

4. The company may from time to time enact, make, alter, repeal, amend, vary and re-enact by-laws for the carrying on, management and regulation of the undertaking of the company, and for governing the proceedings of the company, the conduct of its members, the calling of meetings of the company, and generally such by-laws as the company may consider necessary or expedient in connection with the business and affairs of the company, and the company may from time to time appoint such officers and employees as the company may deem necessary for the proper conduct of the business of the company, and may prescribe their duties and fix their remuneration.

Authentication  
of by-laws.

5. Every by-law of the company shall be under the seal of the company and shall be signed by the chairman or by the person presiding at the meeting at which the by-law has been passed and by the secretary or assistant secretary of the company.

Conveyance  
of railway  
to Company.

6. With the approval of the Lieutenant-Governor in Council and with the approval of a majority of the corporations, such last mentioned approval to be evidenced by by-law, the company may acquire and the Commission on behalf of the corporations may grant and convey to the company the railway, subject, however, to the liabilities incurred by the Commission in connection with the acquisition,

construction,



construction, equipment and operation of the railway and to the existing mortgage or charge in favour of the holders of the bonds of the Commission, and the payment of said liabilities and of the principal and interest of said bonds shall thenceforth be an obligation of the company and the company shall indemnify and save harmless the Commission against the same; provided always that all bonds of the Commission and all bonds issued by the company pursuant to this Act shall be equally charged upon and secured by the railway and every extension thereof and all lands and interests in lands, buildings, fixtures, improvements, stations, terminals, rolling stock, equipment, income, tolls, revenue, sources of money, rights, powers, privileges, franchises and all properties and assets of or belonging to the company as a first mortgage or charge thereon. Upon the execution by The Hydro-Electric Power Commission of Ontario on behalf of the corporations and upon delivery to the company, of a grant and conveyance of the railway made or purporting to be made pursuant to this section, and upon the deposit of such grant and conveyance as hereinafter mentioned the railway shall be vested in the company free from all liens, charges and encumbrances whatsoever save and except the mortgage and charge aforesaid, and such grant and conveyance may be made in general terms and it shall not be necessary therein to particularly describe the property thereby granted and conveyed or to conform to or comply with the provisions of any law or statute relating to the transfer of real or personal property. It shall not be necessary to register or file such grant and conveyance under the provisions of any law respecting the registration, filing or recording of instruments affecting real or personal property but the same shall be deposited in the office of the Ontario Railway and Municipal Board, and thereupon the said grant and conveyance shall be legal, valid and binding upon the corporations and the Commission. A copy of such grant and conveyance may, however, be registered in the general register of the county of Essex and the registrar of deeds for the said county shall upon request enter in the abstract index of each parcel or tract of land the title to which is in any way affected by this Act, a note entry or memorandum showing that the title thereto has been changed or affected by this Act and referring to the date and registration number in the general register where the said grant and conveyance has been recorded or registered as aforesaid.

7. Upon the deposit of said grant and conveyance in the office of the Ontario Railway and Municipal Board as aforesaid and upon the execution by the company of an agreement with the Commission in form set forth in schedule "A" to this Act with such variations, additions, alterations or amend-

Effect of deposit of grant and conveyance with Railway Board.

ments as may be approved by the Lieutenant-Governor in Council either before or after the execution thereof, the Commission shall cease to have any further obligations to the corporations under said agreement between the Commission and the corporations dated 1st January, 1920 and amendments thereof but the said agreement, subject as hereinafter mentioned, shall thereafter be effective as a valid and binding agreement between the corporations and the company as fully and effectually as though the company had been named as a party to and throughout said agreement and amendments in the place and stead of the Commission, provided, however that for such purpose the said agreement shall be deemed to be amended as follows:—

Amendments  
to Agree-  
ment of  
Jan. 1st,  
1920.

(1) By striking out the words "The Hydro-Electric Power Commission of Ontario" and the "Commission" wherever the same appear throughout said agreement and any amendment thereto and substituting therefor the words "Sandwich, Windsor and Amherstburg Railway Company" and "Company" respectively.

(2) By substituting for the names of the municipal corporations who are parties of the second part to said agreement the names of the municipal corporations referred to in section 2 (a) of this Act.

(3) By striking out the recitals to the said agreement and substituting therefor the following:—

"Whereas The Hydro-Electric Power Commission of Ontario on behalf of the corporations has constructed and equipped and is operating a system of electric railways (known as the Sandwich, Windsor and Amherstburg Railway and hereinafter referred to as the "Railway") over the routes laid down in schedule "A" hereto; and whereas all the assets and undertakings of said railway have been acquired from said Commission by the company subject to the payment by the company of all liabilities incurred by the Commission in connection with such construction, equipment and operation and to the payment by the company of the principal and interest of all bonds heretofore issued by said Commission in respect of said railway."

(4) By striking out subsections (a) and (b) of section 1 and substituting therefor the following:—

"to equip, operate and maintain the railway over the routes laid down in schedule "A" and through the districts in which the corporations are situate."

(5) By striking out subsections (*c*), (*g*), (*i*) and (*n*) of said section 1.

(6) By striking out subsections (*k*) and (*l*) of said section 1 and substituting therefor the following:—

“To apply the revenue derived from the operation of the railway and any other revenue derived from the undertaking of the company to the payment of operating expenses and working expenditure, the payment of interest and sinking fund in respect of the bonds heretofore issued by The Hydro-Electric Power Commission of Ontario for the railway and in respect of the bonds of the company to be issued for the railway, and the payment of all monies owing or payable to the trustee under the trust indentures securing said bonds of said Commission and of the company, in setting aside such sums as the company or The Hydro-Electric Power Commission of Ontario as agent for the company may deem desirable for reserves for working expenditure, obsolescence, depreciation and contingencies and for the renewal of any works belonging in whole or in part to the undertaking, and to reimburse the company for and indemnify the company against any expenditure, liability or obligation which may be undertaken or incurred by the company under this agreement or when purporting to act under this agreement or by The Hydro-Electric Power Commission of Ontario when operating the railway as agent of the company under an agreement between the company and said Commission; and it is hereby agreed that the company or said Commission as agent for the company may apply said revenue for any or all of the purposes aforesaid in such amounts, with such preferences and priorities or without any preference or priority as the company or said Commission may in its sole discretion determine.”

(7) By striking out subsections (*j*) and (*m*) of said section 1 and substituting therefor the following:—

“When all bonds issued by The Hydro-Electric Power Commission of Ontario and the company in respect of the said railway and all other liabilities and indebtedness of the company have been paid in full, to sell or otherwise dispose of the railway in such manner and at such time and for such price as may be approved by a majority of the corporations and to divide the proceeds of the sale of such assets among the corporations in the proportion agreed upon between them or failing such agreement in the proportion fixed by The Hydro-Electric Power Commission of Ontario whose decision shall be final.”

(8) By striking out the first three lines of section 2 and subsections (a) and (b) of section 2 and substituting the following:—

“In consideration of the premises and of the agreements herein set forth the corporations and each of them agree with each other and with the Commission as follows:—

(a) To issue and deposit their debentures with the company as provided by this agreement and to pay to the trustee for the holders of the bonds to be issued by the company and of the bonds heretofore issued by The Hydro-Electric Power Commission of Ontario in respect of the railway all monies which may be demanded by said trustee in accordance with the provisions of this agreement and to become directly jointly and severally liable for the payment of the principal, premium if any, and interest of and on all bonds issued by the company, and the corporations do hereby jointly and severally agree to pay said principal, premium if any, and interest as the same respectively fall due.”

(9) By adding to subsection (c) of said section 2 the following:—

“To take all means within their power to ensure to the company the exclusive right of furnishing transportation within the limits of the municipalities of the corporations and to pass and enforce such by-laws as they may legally pass to prevent the operation of busses, jitneys or vehicles or any other system of transportation which would compete with the transportation services furnished by the company.”

(10) By striking out paragraph 3 of said agreement and substituting therefor the following:—

“3.—(a) The company from time to time, subject to the provisions of this agreement, may issue bonds for such amount as the company may deem necessary to cover the capital cost of extensions, improvements and additional properties, works and equipment of any kind or any of them for use on or in connection with the railway; and the company from time to time upon such terms as it deems proper may sell, hypothecate, pledge or otherwise dispose of any bonds of the company issued under this agreement, but only after deposit with the company of the debentures of the corporations as provided in this agreement;

(b)

(b) Subject as hereinafter in this sub-clause (b) provided the company shall obtain the consent of a majority of the corporations (including always the corporation of the city of Windsor) before the issue of any bonds, such consent in each case to be in the form of a by-law passed by the council of the corporation for which the assent of the electors shall not be necessary, provided that where such bonds are being issued to cover capital cost within the limits of one municipality only the consent of the corporation of that municipality alone shall be necessary; and provided further that it shall not be necessary to obtain the consent of any of the corporations in respect to the issue of bonds from time to time up to an amount not exceeding ten per centum (10%) of the aggregate amount of the bonds of The Hydro-Electric Power Commission of Ontario heretofore issued in respect of the railway and of the bonds of the company issued with the consent of the corporations as above mentioned and outstanding from time to time;

(c) The bonds issued by the company from time to time under this agreement shall respectively bear such date, carry such rate of interest, be payable at such place or places and in such monies and upon such terms and conditions, and mature within such period not exceeding fifty (50) years from the date thereof as the company may determine; and all bonds of the company hereafter issued under this agreement and all bonds of The Hydro-Electric Power Commission of Ontario heretofore issued in respect of the railway shall be equally charged upon and secured by the railway and every extension thereof and all lands and interests in lands, buildings, fixtures, improvements, stations, terminals, rolling stock, equipment, income, tolls, revenue, sources of money, rights, powers, privileges, franchises, and all properties and assets of or belonging to the company as a first mortgage or charge thereon;

(d) In order to provide for the payment of any issue of bonds of the company, the company may in each year during the currency of such bonds commencing in such year as the company may determine, out of such monies of the company as may be available therefor, set aside and pay or cause to be set aside and paid annually as a sinking fund such sum as the company may deem desirable, and such sinking fund may be applied by or on behalf of the company from time to time in the purchase or redemption of bonds issued by the company at such time or times and in such manner and for such price or prices as the company may deem desirable; and

the company shall have power at such times as it may deem expedient to issue further bonds to such amount as will realize the net sum required after the application of the accumulated sinking fund on hand available therefor to repay its outstanding bonds as the same respectively mature;

(e) In order to provide for the payment of the bonds heretofore issued by The Hydro-Electric Power Commission of Ontario in respect of the railway the company may in each year during the currency of such bonds commencing in such year as the company may determine, out of such monies of the company as may be available therefor, set aside and pay or cause to be set aside and paid such sum for sinking fund as the company may determine and such sinking fund payments may be held by a trustee for the said outstanding bonds of said Commission and shall be applied towards the repayment or retirement of the said bonds respectively or any renewal or refunding thereof at maturity and in the meantime may be invested in securities authorized for investment by trustees in the Province of Ontario or in call loans guaranteed by said trustee and the company shall have power at such times as it may deem expedient to issue further bonds to such amount as will realize the net sum required after the application of the accumulated sinking fund on hand available therefor to repay the said bonds as the same respectively mature.

(f) Upon the issue of further bonds by the company for the purpose of repaying, renewing or refunding any outstanding bonds of said Commission or of the company as provided in the foregoing subsections (d) and (e) of this section 3 all of the provisions of this agreement relating to the issue and deposit with the company and the disposal by the company of debentures of the corporations will apply as hereinafter more particularly provided.

(g) From time to time whenever the company shall authorize an issue of bonds as hereinbefore provided the corporations upon requisition in writing from the company approved by The Hydro-Electric Power Commission of Ontario shall issue and deposit with the company debentures to the respective amounts specified in the said requisition; the said debentures shall be for an aggregate principal amount of not less than one hundred and ten per centum (110%) of the principal amount of the bonds of the company to be issued as aforesaid; shall bear such date, shall carry interest payable half-yearly at such rate, shall mature on such date and shall

be payable as to both principal and interest in lawful money of Canada at Toronto, Ontario, and in such other currency or currencies and at such other place or places, if any, as the company in each case may specify in such requisition.

(h) Debentures issued by any municipal corporation or corporations pursuant to a request by the company, in respect of any extension, improvement, additional works or equipment required for the railway for which bonds of the company are issued or to be issued, may be held or disposed of by the company in trust exclusively for the holders of such bonds of the company and as security for the payment of such bonds of the company in respect of which such debentures have been issued and deposited in such manner and at such time or times and upon such terms and conditions as the company in its sole discretion may determine and without limiting the generality of the foregoing the company as security for the repayment of the principal of said bonds, and the interest and premium, if any, thereon may execute, deliver and enter into any trust indenture or other document with a trust company or corporation as trustee for the holders of said bonds of the company containing such powers, terms and conditions and such provisions as to sinking fund, redemption or otherwise, and such protection to the trustee in the exercise of its duties thereunder and such security to said trustee for the payment of its fees, compensation and disbursements by way of lien on all monies, debentures and other property in its hands or otherwise, and such mortgage, charge and pledge (subject always to the rights of the holders of the outstanding bonds of the Commission as hereinbefore in sub-paragraph (c) of this paragraph 3 mentioned) as the company in its sole discretion shall deem to be in the best interests of the company and of the holders of said bonds, and may by said trust indenture or other document transfer, pledge, hypothecate, charge and mortgage the said debentures or any of them to said trustee for the exclusive benefit and security of the holders of the bonds of the company in respect of which said debentures have been issued and deposited with the company and may give said trustee such power to sell, dispose of or realize upon such debentures and the interest coupons attached thereto and such power to collect all monies payable by the corporations under this agreement, as the company in its sole discretion may deem advisable, and the company may by such trust indenture or other document, subject as aforesaid, mortgage and charge the railway and all the lands and interests in lands, buildings, fixtures, improvements,

terminals,



terminals, rolling stock, equipment, income, tolls, revenues, sources of monies, rights, powers, privileges, franchises and all other properties and assets present and future belonging to or connected with said railway. Said trust indenture when executed by the company shall be legal, valid and binding upon the company and upon each of the corporations.

(i) The debentures of the corporations to the aggregate principal amount of five million eight hundred and sixteen thousand two hundred and five dollars (\$5,816,205) which have heretofore been issued by the corporations and deposited with The Hydro-Electric Power Commission of Ontario from time to time pursuant to requests by said Commission in respect of bonds issued by said Commission for the railway, the payment of the principal and interest of which bonds has been assumed by the company and is guaranteed by the Province of Ontario, and which debentures are held by said Commission as collateral security for the payment of said bonds to be disposed of in trust for the holders of said bonds, shall be delivered to the company by said Commission and shall be held or disposed of by the company in such manner and at such time or times and upon such terms or conditions as the company, subject to the approval of the Commission and the Lieutenant-Governor in Council, may determine, and without limiting the generality of the foregoing the company may for such purpose execute, deliver and enter into a trust indenture with a corporate trustee (who shall be the trustee for the holders of the bonds of the company) and may in such trust indenture as collateral security for the payment of the principal and interest of the said bonds of the Commission transfer, pledge, hypothecate, charge and mortgage the said debentures to said trustee for the benefit and security of the holders of the said bonds of the Commission, and may give said trustee such power to sell, dispose of or realize upon such debentures and the interest coupons attached thereto and to dispose of the proceeds of such sale, disposition or realization as the company in its discretion may determine and such power to collect all monies payable by the corporations under this agreement, and such trust indenture may contain such powers, terms, conditions and provisions, including provisions for payment of interest and sinking fund, and such protection to the trustee in the exercise of its duties thereunder and such security to said trustee for the payment of its fees, compensation and disbursements by way of lien on all monies, debentures and other property in its hands or otherwise, as the company may determine; provided that the disposition of or  
dealing



dealing with the said debentures as provided by said trust indenture shall not become effective until approved by the said Commission and the Lieutenant-Governor in Council, and such disposition or dealing with said debentures and such trust indenture, shall, when approved by the said Commission and the Lieutenant-Governor in Council, be valid and binding upon the company, and upon each of the corporations. Any such trust indenture may with the like approvals be cancelled, altered or amended.

(j) The by-laws of the municipal corporations authorizing the issue of the debentures to be deposited with the company as aforesaid shall in each case provide for the raising in each year during the currency of the debentures of the annual interest thereon and of a specific sum as a sinking fund which with the estimated interest thereon at a rate not exceeding four per centum (4%) per annum capitalized yearly will be sufficient to pay the principal of the said debentures at maturity; provided that the respective amounts for interest and sinking fund to be raised by such municipal corporations in any year by special rates under any such by-law may be reduced or increased as hereinafter provided but such reduction shall in no way impair the obligation or liability of such municipal corporations to pay in full the amount of the principal of such debentures and of the interest coupons attached thereto.

(k) At least thirty (30) days prior to the respective dates on which interest and/or sinking fund payments fall due in respect of the bonds of the Commission and/or of the company, The Hydro-Electric Power Commission of Ontario, operating the railway as the agent of the company under the agreement hereinafter referred to, shall estimate and pay to the trustee or make arrangements satisfactory to the trustee for payment to the trustee of the amount of revenue, if any, from the operation of the railway which is available to be allocated to meet interest and sinking fund in respect of each issue of bonds made by the company and in respect of each issue of bonds heretofore made by the Commission in respect of the railway, and shall certify to the said trustee the amount remaining to be paid as hereinafter mentioned by each corporation for interest and/or sinking fund, such respective amounts to be determined from time to time by the Commission in its absolute discretion having regard to the service rendered by the railway to each corporation and the comparative benefits derived by each such corporation from the railway. The

said

said estimate and certificate of the Commission shall be final and conclusive and binding upon the company and the corporations and shall not be open to question.

In the event that the Commission in any year shall have paid to the trustee the whole of the sinking fund and/or interest payments due in such year by the company to the trustee in respect of any issue of bonds of the company or of the Commission the corporations shall not be obliged to levy for that year any monies for sinking fund or interest under their by-laws authorizing the issue of debentures pledged to such trustee in respect of such bonds, but in the event that the Commission shall pay to the trustee for sinking fund and/or interest in any year any amount less than the whole amount of sinking fund and/or interest so payable such deficit shall forthwith on the demand of the trustee be paid to the trustee by the corporations in the respective amounts aforesaid, and pending the collection of the same by special rates the corporations may temporarily borrow the same from any bank, company or person on the credit of the corporation at large, and the respective amounts so payable shall be included by the respective corporations in their estimates for the current or next succeeding year and shall be raised and levied by each of said corporations by a special rate on all the rateable property in said respective municipalities rateable therefor and the monies so paid to said trustee for sinking fund shall be added to the sinking fund of the company and be applicable to the redemption of the bonds of the company and/or the Commission in respect of which the same has been paid and the monies so paid to the trustee for interest shall be made available by the trustee for the payment of the interest on the bonds of the company and/or the Commission respectively. Any monies payable as aforesaid by the said corporations to said trustee shall be debts due and owing by the respective corporations to said trustee and may be recovered by said trustee from each such corporation in any court of competent jurisdiction, together with interest at the rate of six per centum (6%) per annum from the date of such demand as aforesaid and the production by said trustee of such demands and proof of delivery thereof to the respective corporations shall be conclusive evidence of the amount due and owing by the respective corporations to said trustee as a debt. In the event that any corporation shall fail to pay to the trustee the amount payable by it as aforesaid within fifteen (15) days after the date of such demand, the trustee may sell, realize on or otherwise dispose of a sufficient number of debentures and/or interest

coupons of the defaulting corporation or corporations pledged to it to realize as nearly as may be the sum so in default and the surplus, if any, arising from the sale or realization of such debentures and/or interest coupons over and above the amount required to meet such sum in default may be added to the sinking fund or retained by the trustee to meet any subsequent default of such defaulting corporation or corporations. The corporation or corporations whose debentures have been so sold shall on demand by the trustee forthwith issue and deliver to the trustee new debentures of a like amount and payable upon the same terms as the debentures so sold, and the corporations are hereby authorized and required to pass all proper by-laws authorizing the issue and delivery of such new debentures.

(*l*) In addition to the annual deficits, if any, in respect of interest and/or sinking fund payable by the corporations to said trustee as provided in sub-paragraph (*k*) of this paragraph, the Commission shall certify to the trustee in each year the aggregate sum, if any, by which the revenue derived from the operation of the railway and any other revenue derived from the undertaking of the company is insufficient to meet in that year the operating expenses, working expenditure, reserves and other liabilities and obligations (other than for interest and sinking fund) to which the said revenue may be applied by the company as hereinbefore in this agreement provided, and the Commission shall also certify to the said trustee the respective amounts of such aggregate sum to be paid by each corporation, such respective amounts to be determined by the Commission and to be payable by the corporations to the trustee in the manner provided in sub-paragraph (*k*) of this paragraph. The certificates of the Commission herein provided for shall be final and conclusive and binding upon the company and the corporations and shall not be open to question. Such respective amounts when paid by the corporations to the trustee shall be paid by the trustee to the Commission.

(*m*) The trust indenture securing the bonds of the company may provide that the trustee may in each year release from the lien of the trust indenture and cancel and return to the respective corporations, municipal debentures (with all unmaturing interest coupons attached) pledged to it in respect of any issue of bonds to an aggregate principal amount not exceeding the principal amount of such bonds of the company redeemed in such year out of sinking fund monies. The respective amounts of debentures of each corporation to be released

and

and cancelled as aforesaid shall be in the same proportion as nearly as may be as the proportion which the respective amounts of the debentures of each corporation pledged to the trustee in respect of such issue of bonds bear to the aggregate amount of municipal debentures pledged to the trustee in respect of such issue of bonds; provided that no release shall be made in respect of any fractional portion of any debenture; provided that no debentures will be returned to any municipal corporation which is in default in meeting any demand by the trustee.

(n) In the event that the security under a trust indenture securing bonds of the company shall have become enforceable, and the trustee thereof shall have determined or become bound to enforce the same, the trustee without the necessity of having recourse to any other security created by said trust indenture or otherwise may forthwith sell or otherwise dispose of any or all of the said debentures transferred, pledged, hypothecated, charged or mortgaged with or to it as aforesaid, in the manner and upon the conditions prescribed in said trust indenture, and the said debentures in the hands of the purchasers thereof shall be valid and binding upon the respective corporations and the ratepayers thereof and neither the validity of the by-laws authorizing the issue of such debentures nor the validity of any such debentures shall be open to question on any ground whatsoever.

(o) In the event that the said trustee shall enforce the security of said trust indenture as aforesaid and/or in the event the trustee shall sell or otherwise dispose of any or all of the debentures of the corporations mortgaged, hypothecated or pledged thereunder, the corporations shall in each year thereafter raise and levy the annual interest on such debentures and in lieu of the annual sinking fund levies provided for under the respective by-laws authorizing the issue of their debentures so disposed of shall raise and levy for sinking fund such amount as, with the estimated interest thereon at a rate not exceeding four per centum (4%) per annum, shall be sufficient to meet at maturity the debentures so sold or otherwise disposed of."

(11) By striking out paragraphs 4, 10, 11 and 16 of said agreement.

(12) By striking out paragraph 13 of said agreement and substituting therefor the following:—

"Any

"Any dispute between the corporations arising under this agreement shall be referred for settlement to The Hydro-Electric Power Commission of Ontario and said Commission may upon application fix a time and place to hear all representations that may be made by the corporations and the Commission shall settle such dispute and such settlement shall be final. The said Commission shall have all the powers that may be conferred upon a Commissioner appointed under *The Act Respecting Enquiries Concerning Public Matters*."

(13) By striking out section 14 of said agreement and substituting therefor the following:—

"This agreement shall continue and extend for a period of fifty (50) years from the date the same goes into effect and at the expiration thereof be subject to renewal with the consent of the corporations from time to time for like periods of fifty (50) years. At the expiration of this agreement The Hydro-Electric Power Commission of Ontario shall determine and adjust the respective rights and liabilities of the corporations as among themselves having regard to the amounts paid or indebtedness incurred by them respectively pursuant to this agreement and to such other considerations as may appear equitable to The Hydro-Electric Power Commission of Ontario and are approved by the Lieutenant-Governor in Council."

(14) By striking out section 15 and schedule "C" of said agreement and substituting therefor the following:—

"It is understood and agreed that all sums to be raised, levied and collected by the corporations pursuant to this agreement shall be raised, levied and collected by the respective municipal corporations by special rates upon all the rateable property in the respective municipalities with the exception of the municipality of the corporation of the township of Sandwich West wherein said rates shall be levied upon all the rateable property in that section only of said Township lying between the Anderdon town limit and Windsor that is bounded on the east side by the Malden Road, Huron Line, and the Tecumseh Road and on the west side by the Detroit river including property fronting on both sides of the roads forming the said easterly boundary, but excluding thereout all the property lying within the boundaries of the municipality of the town of LaSalle; provided that the council of the township of Sandwich West may at any time by by-law define an area in said township other than that above described and may submit to a vote of

the electors of such defined area in the manner prescribed by *The Municipal Act* a question as to the extension of the railway into such defined area, and if a majority of the electors vote in the affirmative, the railway, subject to the provisions of this agreement may be extended into such defined area, and in such case all sums to be raised, levied and collected by the township of Sandwich West under this agreement by reason of such extension into such defined area shall be raised, levied and collected by special rates upon all the rateable property in such defined area."

(15) By repealing section 3 of *The Hydro-Electric Railway Act, 1925*, in so far as the same applies to this agreement and the railway.

(16) By adding the following paragraphs to said agreement:

- (a) The company may enter into an agreement with The Hydro-Electric Power Commission of Ontario providing for the management, extension, improvement, completion, equipment, maintenance and operation of the railway as the agent of the company and for the performance by the Commission of any or all of the duties or obligations to be performed by the company under this agreement other than the issue of the bonds of the company.
- (b) This agreement may be amended by the company and the corporations with the consent of the Lieutenant-Governor in Council and the corporations shall pass all such by-laws as may be necessary to authorize, confirm and carry out every such amendment; provided that no such amendment shall in any way lessen or impair the obligations of the corporations or any of them or of the company under this agreement in respect to bonds issued by the company during the currency of this agreement.
- (c) The company may assign the benefit of this agreement or any part thereof to the trustee for the holders of the bonds of the company and/or the said bonds of The Hydro-Electric Power Commission of Ontario.

Temporary  
transporta-  
tion service  
by buses,  
etc.

8.—(1) Notwithstanding anything contained in this Act or in the agreement between the company and the corporations referred to in section 7 of this Act, the company, pending or in lieu of the permanent extension of the railway through any area in the municipality of any corporation, may with

the

the approval of the Commission provide for a temporary transportation service by motor bus or busses over any route or routes within any defined area of any such municipality; and the company and the corporation of any such municipality, subject to the provisions hereinafter contained, may from time to time enter into an agreement or agreements in order to provide for such service and for the repayment to the company by such corporation of the deficits, if any, arising from time to time in connection with the provision and operation of such service.

(2) The council of any corporation, upon petition signed by the owners representing at least one-half of the assessed value of the property in any area of the municipality or after a question for such purpose has been submitted and has received the assent of the electors in such area entitled to vote on money by-laws in the manner provided by *The Municipal Act*, shall have power by by-law to set aside a defined area for the purpose aforesaid and to authorize the execution of such agreement with the company and to provide that all such deficits, if any, payable to the company under such agreement shall be raised, levied and collected by a special rate on all the rateable property in such defined area.

(3) The council of any corporation in any area in the municipality of which the Commission has heretofore provided a temporary transportation service by motor bus, may without such petition or the submission of such question set aside a defined area and authorize the execution of an agreement with the company for the purpose aforesaid and any deficits already existing in connection with any such service heretofore furnished by the Commission or hereafter arising in connection with such service hereafter furnished by the company, shall be paid by the corporation to the company on demand and shall be raised, levied and collected by such corporation by a special rate sufficient therefor on all the rateable property in such defined area.

9. The company may enter into an agreement with the Commission and the Commission may enter into an agreement with the company in the form set forth in the schedule to this Act with such amendments as may from time to time be made therein by the company and the Commission, and the company and the Commission shall have full power to carry out their powers, duties and obligations under said agreement and any amendments thereof. The Commission with respect to the management and operation of the railway shall maintain separate and distinct books and accounts from the books and accounts of any other undertaking in which it is engaged, and all monies received by it in connection with such operation shall be kept in a separate bank account and shall not be merged with its funds derived from any other source.

Sectional by-laws.

Sectional by-law as to bus service already established.

Agreement for operation by Commission.



Authority to  
carry out  
agreements.

**10.** The company and the corporations and each of them may exercise all the rights, powers and privileges and do all things necessary to carry out the terms of the agreement referred to in section 7 of this Act and for the purpose of said agreement the company shall have and may exercise all the powers, rights, immunities and privileges of a company incorporated by a special Act for the construction of a railway under *The Railway Act* so far as the same are applicable.

Powers of  
Commission  
when oper-  
ating  
railway.

**11.** The company and the Commission and each of them may exercise all the rights, powers and privileges conferred upon them by this Act and may do all things necessary to carry out the terms of the agreement between the company and the Commission referred to in section 9 of this Act and for the purpose of operating and carrying on the railway and of exercising any of the powers conferred on the company by this Act the Commission shall have and may exercise all the rights, powers and privileges of a company owning and operating a railway under *The Railway Act of Ontario* and all the rights, powers and privileges conferred upon the company by this Act, including the power to pass by-laws and regulations for and in the name of the company which may be passed by the company under section 29 of this Act, and all such by-laws and regulations passed by the Commission for and in the name of the company shall be as effective as if passed by the company itself; provided always that the Commission shall have no power to issue bonds, debentures, promissory notes or other securities or incur any financial obligation whereby the Commission becomes in any way liable, except as the agent of and in the name of the company, and all bonds, debentures, promissory notes and other securities required to be issued for the purpose of the said railway and all such financial obligations shall be issued and incurred by and in the name of the company; and the Commission shall act solely as the agent of the company and the Commission shall not be liable in any manner for any debt, liability or obligation in respect of the railway or anything done or undertaken by the Commission in relation thereto except to the extent of monies received by the Commission as revenue from the operation of the railway or as representing other monies or other assets of the company or the corporations from time to time in its possession or control and available for such liabilities, and the company and the corporations jointly and severally shall be responsible for every such debt, liability or obligation and shall indemnify and save harmless the Commission therefrom and no action or other proceeding shall lie or be taken against the Commission in respect of any such debt, liability or obligation, but every such action may be taken against the company and the corporations or one or more of them.



**12.**—(a) For the purpose of supplementing the revenues of the railway in the hands of the Commission under the agreement referred to in section 9 of this Act and of providing the additional monies, if any, required by the company and/or the Commission for the payment of operating expenses and working expenditure, the payment of interest and sinking fund in respect of the bonds of the Commission and the bonds of the company, the payment of all monies owing or payable to the trustee under the trust indentures securing said bonds of the Commission and of the company, for such reserves as the Commission may deem desirable to set aside for working expenditure, obsolescence, depreciation and contingencies and for the renewal of any works belonging in whole or in part to the undertaking and to reimburse the Commission for and to indemnify the Commission against any expenditure, liability or obligation undertaken or incurred by the Commission under said agreement or when purporting to act under said agreement, the company is hereby authorized to and shall issue and deliver to the Commission debentures of the company to the principal amount of five hundred thousand dollars (\$500,000) in the first instance and, from time to time, in such further principal amounts as may be demanded by the Commission; and the Commission from time to time in the name of and as agent for the company may borrow or raise such sums as the Commission may deem advisable for any of the purposes aforesaid and may deposit, pledge, hypothecate, charge, sell or otherwise deal with any of said debentures delivered to it by the company and receive the proceeds thereof and apply said proceeds for any of said purposes;

Authority  
for issue of  
bonds for  
\$500,000  
for working  
capital.

(b) The said debentures of the company may bear such date, carry such rate of interest, be payable at such place or places and in such monies and be upon such terms and conditions and mature within such period from the date thereof as the Commission may from time to time require;

(c) Notwithstanding that the said debentures may purport to be obligations of the company only the said debentures shall be direct joint and several obligations of the corporations and each of the corporations shall be jointly and severally liable for the payment thereof and the interest thereon and for every indebtedness created by or in connection with the said debentures, and the amount for which the corporations are liable hereunder shall be a debt due from such corporations and each of them to the holder of any of the said debentures and upon default in payment of such debt the same may be recovered by action at the suit of such holder in any court of competent jurisdiction;

(d) Subject as hereinafter in this subsection provided the Commission as the agent of and in the name of the company

may

may declare that the said debentures are charged upon and secured by such assets of the railway in such manner and upon such terms and conditions and subject to such provisions as the Commission may deem advisable, but in relation to the said assets all said debentures shall be junior and subordinate to and rank after all bonds of the Commission and all bonds hereafter issued by the company pursuant to the agreement referred to in section 7 hereof;

Revised Stat.  
c. 223.

(e) Debentures and debts which are by this Section made obligations of the corporations shall not be included in ascertaining the limits of the borrowing powers of the corporations as prescribed by *The Municipal Act* and the said debentures and debts shall be obligations of the corporations, notwithstanding the limitations prescribed by *The Municipal Act*.

(f) No person, bank, firm or corporation purchasing or lending money upon the security of the said debentures or any of them shall be bound to enquire into the authority for the issue of the said debentures or to see to the application of the proceeds thereof;

(g) All or any of the said debentures which may be pledged, hypothecated or charged as security for advances or loans and which are re-delivered to the Commission with or without payment, satisfaction, release or discharge in whole or in part of any such advances or loans may be re-pledged, re-hypothecated or re-charged, sold or otherwise disposed of as and when the Commission may think fit;

(h) Nothing in this section contained shall in any way limit the obligations of the corporations under subsections (k) and (l) of section 3 of the agreement between the company and the corporations referred to in section 7 of this Act.

Disposal of  
property not  
required.

**13.** With the approval of The Hydro-Electric Power Commission of Ontario and subject to the terms of any trust deed securing the bonds of the Commission and the bonds of the company, the company upon such terms as it deems proper may lease, sell or otherwise dispose of, free from any lien, charge, mortgage or encumbrance, any property, real or personal, which the Company may deem unnecessary for the purpose of the railway or any section or extension thereof, and the company shall use or dispose of the proceeds thereof only for the purposes of the railway in such expenditures or for reimbursing the company for such expenditures as are approved by The Hydro-Electric Power Commission of Ontario or shall invest the same in securities in which trustees may by the laws of the Province of Ontario invest trust funds

or shall apply the same for the retirement of the bonds of the company or partly in one way and partly in any other or others.

**14.** Any or all obligations of the corporations as set forth in paragraph 3 of said agreement between the corporations and the company referred to in section 7 of this Act and in any amendment or amendments of said paragraph 3 may be enforced directly against the corporations by the trustee under any trust indenture made by the company to secure the bonds of the Commission and/or the bonds of the company as fully and effectually as if said corporations were parties to said trust indentures and had covenanted and agreed with the trustee thereof to perform said obligations.

Enforcing obligations of Commission.

**15.** Notwithstanding anything contained in this Act or in said agreement between the company and the corporations and notwithstanding that the bonds of the company may be expressed on their face to be obligations of the company only, the obligations of the company as set forth in all bonds from time to time issued by the company and in any trust indenture or indentures securing the payment of said bonds shall, in addition, be direct joint and several obligations of the company and the corporations, and the corporations shall be directly jointly and severally liable to the holders of said bonds for the time being for the payment of the principal, premium, if any, and interest of and on all said bonds of the company as and when the same respectively fall due.

Joint and several liability of Corporations.

The bonds of the company shall be authorized investments for trustees in the Province of Ontario.

**16.** Nothing in this Act contained shall in any way affect or impair the obligation of the Province of Ontario as guarantor of the payment of the principal and interest of the bonds of the Commission.

Guaranty of Province.

**17.** Notwithstanding the joint and several liability of the corporations under the provisions contained in sections 12 and 15 of this Act any corporation may, in respect of monies paid by such corporation in any year, recover contribution from the other corporations to such amount as shall be determined by The Hydro-Electric Power Commission of Ontario in its sole discretion. Any dispute between the corporations or any of them under this section may be settled by the Commission, whose decision shall be final.

Right of Corporations to contribution from others.

**18.** The railway may from time to time be extended into any municipality adjacent to the municipalities the corporations of which are parties to said agreement between the corporations and the company, but only upon such terms and

Extension of railway.

conditions as may be approved by the majority of the corporations and by The Hydro-Electric Power Commission of Ontario.

Application  
of 1929, c.  
55.

**19.** The provisions of *The Hydro-Electric Railway Act, 1929*, shall apply to the company and the railway as though the company had been named throughout said statute instead of the Commission.

Execution of  
bonds.

**20.** All bonds authorized to be issued by the company shall, unless otherwise specially authorized or provided, be sealed with the seal of the company, and shall be signed by the chairman or vice-chairman of the company and countersigned by the secretary or assistant secretary of the company holding office at the time of signing. The signature of the chairman or vice-chairman may be engraved, lithographed or otherwise mechanically reproduced on the bonds, and such engraved, lithographed or otherwise mechanically reproduced signature shall be deemed for all purposes the signature of such officer and shall be binding upon the company. Notwithstanding any change in any of the persons holding said offices between the time of actual signing and the certifying and delivery of the bonds and notwithstanding the chairman or vice-chairman or secretary or assistant secretary signing may not have held office at the date of said bonds or at the date of the certifying and delivery thereof the bonds so signed shall be valid and binding upon the company. Interest coupons attached to the bonds shall have engraved, lithographed or otherwise mechanically reproduced thereon the signatures of the chairman and secretary of the company, and such signatures shall for all purposes be deemed the signatures of such officers and shall be binding upon the company notwithstanding that the persons whose signatures may have been engraved, lithographed or mechanically reproduced are not at the date of the bonds or at the date of the certifying and delivery thereof the chairman and secretary respectively of the company.

Deposit of  
trust inden-  
ture with  
Railway  
Board.

**21.** Any trust indenture made by the company to secure any bonds of the company and/or the bonds of the Commission and creating a mortgage, charge, hypothecation, pledge or encumbrance of or upon the whole or any part of the property, assets and undertaking of the company, present or future, or both, shall be deposited in the office of the Ontario Railway and Municipal Board, of which deposit notice shall forthwith be given in the *Ontario Gazette*, and no such trust indenture and no affidavit or other document attached thereto or deposited therewith need be registered or filed under the provisions of any law respecting registration, filing or recording of instruments affecting real or personal property, and no such law shall apply to such trust indenture. A copy of any

such

such trust indenture so deposited certified to be a true copy by the chairman or secretary of the company shall be *prima facie* evidence of the original without proof of the signature of such official.

**22.** It shall not be necessary to submit for the assent of the electors any by-law passed by the municipal council of any of the corporations to authorize the issue of debentures or for any other purpose whatever under this Act or any agreement herein referred to, and all such by-laws authorizing the issue of debentures and all debentures issued thereunder and the interest coupons attached thereto shall be legal, valid and binding upon said corporations respectively and the ratepayers thereof, and the validity thereof shall not be open to question in any court on any ground whatever, and no such debentures issued and debts contracted by any corporation shall be included in ascertaining the limits of the borrowing powers of said corporations as prescribed by *The Municipal Act*, and debentures may be issued and debts contracted by said corporations for the purposes aforesaid, notwithstanding the limitations prescribed by *The Municipal Act*.

Assent of electors to debenture by-laws not required.

**23.** In the event of any alteration of the boundaries of the municipalities of the corporations which are parties to said agreement between the corporations and the company referred to in section 7 hereof either by the subdivision, redivision, absorption or amalgamation of said municipalities or any part thereof into new or existing corporations or by the annexation thereto of any additional territory or by the annexation thereof or any part thereof by any other municipal corporation, or in any other way whatsoever, the original corporations whose boundaries have been so altered shall remain parties to said agreement and the new corporations, if any, so formed shall upon their formation be parties to said agreement and be subject to all the provisions of this Act and of said agreement; and all of the ratepayers of the corporation the boundaries of the municipality of which have been enlarged by the annexation to it of the whole or any part of any other municipality shall be liable for the rates levied to meet the obligations of such corporation under said agreement and also the obligations of any other corporation the whole of which has been annexed to it; and any municipal corporation whose boundaries have been reduced and the ratepayers of such reduced municipality shall remain liable for the obligations of that corporation; but the respective liabilities of any new corporations so formed and of corporations whose boundaries have been so reduced or enlarged as between themselves shall be determined by The Hydro-Electric Power Commission of Ontario, whose decision shall be final and binding upon all the corporations, provided that

Effect of alteration in municipal boundaries.

nothing in this section contained shall entitle any corporation to a return of any debentures heretofore or hereafter issued and deposited by it with the Commission or the company.

Powers as to  
Company  
taking land.

Rev. Stat.,  
c. 52.

How com-  
pensation  
determined.

Application  
of certain  
sections of  
Rev. Stat.  
c. 224.

Assessment  
and  
taxation.

Provision  
for payment  
of fees and  
expenses.

Actions for  
negligence.

**24.**—(1) Where land is required for any of the purposes for which land may be acquired or expropriated under *The Railway Act* the company in respect thereof shall have the powers and shall proceed in the manner provided by *The Public Works Act* where the Minister of Public Works takes land or property for the use of the Province of Ontario and the provisions of the said Act shall *mutatis mutandis* apply.

(2) Where compensation would be payable upon the exercise of any powers by the company under *The Railway Act*, the same shall be determined in the manner provided by *The Public Works Act*.

**25.** Sections 65 to 68, sections 177 to 185, sections 187 to 201 inclusive, and clause (f) of section 260 of *The Railway Act* and any other sections of *The Railway Act* which are inconsistent with the provisions of this Act or of the agreement between the company and the corporations or the agreement between the company and the Commission shall not apply to the company or to the Commission or to the railway.

**26.** The company shall in respect of the property vested in it be subject to assessment and taxation in the same manner and to the same extent only as if the said property were vested in the Commission.

**27.** The fees and expenses incurred in and incidental to the creation and organization of the company and to the issue of the bonds of the company and to any procedure taken by the corporations and the company and the Commission pursuant to the provisions of this Act and of any agreements herein referred to, may be paid by the Commission out of the proceeds of any bonds, debentures or other securities of the company or out of the revenue from the operation of the railway.

**28.** Every action brought for damages by reason of negligence in the operation of the railway shall be brought against the railway company and not against any of the corporations or the Commission and the railway company for the purposes of this section shall be deemed a municipal corporation and such action shall be brought and tried as if it were an action against a municipal corporation for damages in respect to injuries sustained by reason of the default of a corporation in keeping in repair a highway.

**29.**—(1) Notwithstanding anything contained in *The Municipal Act* the Sandwich, Windsor and Amherstburg Railway Company from time to time may make by-laws and regulations which shall be in force in each of the municipalities from which a member is appointed to the said company for the following purposes:

- (a) Regulating or prohibiting the use of any street or any part of a street upon which the tracks of the railway are laid by any class of vehicles.
- (b) Fixing the places at which busses and other public vehicles and vehicles operating for hire may stop for the purpose of taking up or setting down passengers.
- (c) Prohibiting the crossing of tracks or travelling or stopping of such vehicles upon the tracks of the railway in any manner which shall obstruct or hinder the operation of the railway or which may endanger life or property.
- (d) Prescribing periods by day or night during which such vehicles shall not stop for the purpose of taking up or setting down passengers at any stated place.
- (e) Regulating or prohibiting the soliciting of passengers or cruising or loitering by the drivers of such vehicles upon any street.
- (f) Fixing the place and length of time where and during which any such vehicle may stand in any particular street.
- (g) For imposing penalties for the violation of any such by-law or regulation, not exceeding, exclusive of costs, the sum of fifty dollars (\$50) for each offence.

(2) The penalties imposed under or by any such by-laws shall be recoverable under *The Summary Convictions Act*, and shall be paid to the treasurer of the municipality in which the offence occurred.

(3) Every such by-law and regulation shall have the same force and effect as if the municipalities from which members are appointed to the said company were one city corporation and the by-law or regulation had been passed by the commissioners of police or by the municipal council of the city, and in so far as any such by-law or regulation differs from the terms of any municipal by-law or regulation in force at the same time the by-law or regulation passed under this section shall prevail; Provided, however, that all such by-laws shall be submitted to the Department of Public Highways for approval and shall not become operative until the Department shall have approved of same.

**30.** This Act shall come into force on the day upon which it receives the Royal Assent.



## SCHEDULE "A."

Agreement dated the 1st day of March, A.D. 1930.

BETWEEN:

SANDWICH, WINDSOR AND AMHERSTBURG RAILWAY COMPANY,  
hereinafter called the "Company,"

of the first part,

—and—

THE HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO,  
hereinafter called the "Commission,"

of the second part

Whereas the Company has been duly created and constituted under and in accordance with *The Sandwich, Windsor and Amherstburg Railway Act, 1930*, 20 George V, Chapter 17;

And whereas the Company has acquired from the Commission the Sandwich, Windsor & Amherstburg Railway more particularly referred to in the said Statute subject to the liabilities incurred by the Commission in connection with the acquisition, construction, equipment and operation of the Railway and the existing mortgage or charge in favour of the holders of the Bonds heretofore issued by the Commission in respect of said Railway and the payment of said liabilities and of the principal of and the interest on the said Bonds has been assumed by the Company and is henceforth an obligation of the Company which has agreed to indemnify and save harmless the Commission against the same:

And whereas the particulars of the said Bonds heretofore issued by the Commission in respect of said Railway are as follows:

Principal amount of Bonds issued	Interest Rate	Date	Date of Maturity
\$2,100,000.00.....	4½%	1st April, 1920	1st April, 1960
900,000.00.....	6%	1st July, 1921	1st July, 1961
966,205.00.....	5%	1st Sept. 1923	1st Sept. 1945
750,000.00.....	5%	1st July, 1925	1st July, 1945
100,000.00.....	5%	1st Sept. 1925	1st Sept. 1945
1,000,000.00.....	5%	15th July, 1926	15th July, 1946

And whereas payment of the principal of and the interest on all of said Bonds has been guaranteed by the Province of Ontario;

And whereas all of said Bonds are now outstanding;

And whereas it is provided in said Statute that upon the execution of this Agreement an Agreement between the Company and certain Municipal Corporations referred to in said Statute shall come into force as provided in Section 7 of said Statute;

And whereas provision is made in said Agreement between the Company and said Municipal Corporations for the issue of Bonds by the Company under the provisions of a Trust Indenture to be entered into between the Company and a corporate Trustee and provision is also made for the Company entering into a Trust Indenture with a corporate Trustee for the purpose of securing the payment of said outstanding Bonds of the Commission;

And whereas it is provided in said Agreement that the Trustee in respect of the Bonds to be issued by the Company shall be the same as the Trustee in respect of said Bonds heretofore issued by the Commission;

Now therefore this indenture witnesseth that in consideration of the premises and for the considerations herein contained the parties hereto mutually covenant, promise and agree as follows:—

1. The Company hereby authorizes and appoints the Commission as the exclusive agent of the Company to manage, extend, complete, equip, maintain and operate the said Railway, and the Commission as such agent and subject to all the terms, conditions, provisoes and stipulations herein contained accepts the said appointment and agrees to effi-

ciently

ciently perform its duties in connection therewith and to exercise all due skill and diligence so as to secure the most effective operation and service of the Railway; and the Commission as agent of the Company may have, enjoy, exercise and perform any and all the rights, powers, authorities, privileges, immunities, duties and obligations of the Company with respect to the Railway and the management, extension, completion, equipment, maintenance, operation, improvement, betterment and renewal thereof, and together with the right and power for and in the name of the Company to pass all By-laws which may be passed by the Company under Section 29 of the said *Sandwich, Windsor and Amherstburg Railway Act, 1930*, and the Company hereby delegates to the Commission the right and power to pass any and all such By-laws and Regulations.

2. The Commission shall be under no obligation whatever to commence or proceed with its duties hereunder or carry out any work under this Agreement unless the Company shall have first furnished the Commission with the monies estimated by the Commission from time to time to be necessary for such purpose, nor unless the Company shall have carried out and complied with all statutory requirements to be observed and performed by the Company, but the Commission shall be under no obligation to see to the observance or performance by the Company of said statutory requirements.

3. As part of the operation of the Railway, the Company authorizes the Commission:—

(a) To regulate and fix the fares and rates of toll to be collected by the Railway for all classes of service;

(b) To utilize the right-of-way and property of the Railway for all purposes from which it is possible to obtain a profit;

(c) Subject to the provisions of any Trust Indenture securing any Bonds issued by the Company, to combine the equipment, works and other property of the Railway with that used for power purposes by the Commission and for other railways operated by the Commission where such combination is in the opinion of the Commission feasible and may prove economical; and to apportion annually all charges respecting such equipment, works and other property in a fair manner having regard to the service furnished; provided that such apportionment may be by way of rental charges or otherwise; the apportionment of the Commission shall be final and binding;

(d) To permit and obtain interchange of traffic with other railways wherever possible and profitable.

4. The Company shall:—

(a) Furnish a free right-of-way for the Railway over any property of the Company and use its best endeavours to secure a free right-of-way for the Railway over the property of any of the Corporations upon request of the Commission and secure to the Commission free use of all land, property and other facilities available to the Company;

(b) Make no agreement or arrangement with and grant no franchise, license or inducement to any other railway or transportation company, body corporate or commission without the written consent of the Commission; and take all means within the power of the Company to ensure to the Commission the exclusive right of furnishing in any manner whatsoever local transportation within the boundaries of any of the Corporations;

(c) Keep, observe and perform the covenants, provisoes and conditions set forth in this Agreement intended to be kept, observed and performed by the Company, and execute such further and other documents and pass such By-laws and Resolutions as may be requested by the Commission for the purpose of fully effectuating the objects and intent of this Agreement, and use its best endeavour to secure from the said Corporations

such

such further and other documents and By-laws as may be requested by the Commission for the purpose of fully effectuating the objects and intent of this Agreement;

(d) Issue all bonds, debentures and other securities, collect and pay over all monies and generally do all acts and carry out all obligations required or imposed by this Agreement and by any Statute of Ontario relating to the said Railway.

5. The Commission shall receive all revenue derived from the operation of the Railway and any other revenue derived from the undertaking of the Company and to the extent that the same may be available, shall in each year apply said revenue to the payment of operating expenses and working expenditure, the payment of interest and sinking fund in respect of said Bonds heretofore issued by the Commission for the Railway and in respect of the Bonds of the Company to be issued for the Railway, and the payment of all monies owing or payable to the Trustee under the Trust Indentures securing said Bonds of the Commission and of the Company, in setting aside such sums as the Commission may deem desirable for reserves for working expenditure, obsolescence, depreciation and contingencies, and for the renewal of any works belonging in whole or in part to the undertaking, and to reimburse the Commission and indemnify the Commission against any expenditure, liability or obligation which may be undertaken or incurred by the Commission when acting or purporting to act under this Agreement; and it is hereby agreed that the Commission may apply said revenue for any or all of the purposes aforesaid in such amounts, with such preferences and priorities, or without any preference or priority, as the Commission in its sole discretion may determine.

6. At least thirty (30) days prior to the respective dates on which interest and/or sinking fund payments fall due in respect of each issue of said Bonds of the Commission and/or of the Company the Commission shall estimate and pay to or make arrangements satisfactory to the Trustee for payment to the Trustee under said Indentures securing said Bonds of the Commission and of the Company, of the amount of revenue, if any, from the operation of the Railway which is available to be allocated to meet interest and sinking fund in respect of each said issue of Bonds made by the Company and in respect of each issue of Bonds heretofore made by the Commission in respect of the Railway, and shall certify to said Trustee the amount remaining to be paid by each Corporation for interest and/or sinking fund in the manner and with the effect more particularly provided for in the Agreement between the Company and the Corporations hereinbefore mentioned.

7. In addition to the annual deficits, if any, in respect of interest and/or sinking fund payable by the Corporations as provided in paragraph 6 of this Agreement the Commission shall certify to said Trustee in each year the aggregate sum, if any, by which the revenue derived by the Commission from the operation of the Railway and any other revenue derived by the Commission from the undertaking of the Company is insufficient to meet in that year the operating expenses, working expenditure, reserves and all other liabilities and obligations (other than for interest and sinking fund) to which the said revenue may be applied by the Commission as hereinbefore in this Agreement provided and the Commission shall also certify to the said Trustee the respective amounts of such aggregate sum to be paid by each Corporation in the manner and with the effect more particularly provided for in the Agreement between the Company and the Corporations hereinbefore mentioned.

8.—(a) For the purpose of supplementing the revenue of the Railway in the hands of the Commission under this Agreement and of providing additional monies, if any, required by the Company and/or the Commission for the purposes mentioned in paragraph 5 of this Agreement, the Company shall forthwith issue and deliver to the Commission Debentures of the Company to the principal amount of Five Hundred Thousand Dollars (\$500,000) and from time to time will issue and deliver to the Commission Debentures of such further principal amounts as may be demanded by the Commission from time to time, and notwithstanding that the said

Debentures may purport to be obligations of the Company only the said Debentures shall be made direct joint and several obligations of the Corporations who are parties to said Agreement between the Corporations and the Company, and each of said Corporations shall be jointly and severally liable for the payment of the principal of said Debentures and of the interest thereon and for every indebtedness created by or in connection with the said Debentures.

(b) The said Debentures of the Company shall bear such date, carry such rate of interest, be payable at such place or places and in such monies and be upon such terms and conditions, and mature within such period from the date thereof as the Commission shall from time to time require.

(c) The Commission from time to time in the name of and as agent for the Company may borrow or raise such sums as the Commission may deem advisable for any of the purposes aforesaid and may deposit, pledge, hypothecate, charge, sell or otherwise deal with any of said Debentures delivered to it by the Company and receive the proceeds thereof and apply the proceeds for any of said purposes.

(d) Subject as hereinafter in this sub-paragraph provided the Commission as the agent of and in the name of the Company may declare that the said Debentures are charged upon and secured by such assets of the Railway in such manner and upon such terms and conditions and subject to such provisions as the Commission may deem advisable, but in relation to the said assets all said Debentures shall be junior and subordinate to and rank after all said Bonds of the Commission and all Bonds issued or to be issued by the Company in respect of the Railway.

(e) All or any of the said Debentures which may be pledged, hypothecated or charged as security for advances or loans and which are re-delivered to the Commission with or without payment, satisfaction, release or discharge in whole or in part of any such advances or loans may be re-pledged, re-hypothecated or re-charged, sold or otherwise disposed of as and when the Commission may think fit.

(f) Nothing in this paragraph contained shall in any way limit any other obligation of the Corporations under said Agreement between the Company and the Corporations hereinbefore referred to.

9. If the Company should fail to perform any obligation under this Agreement or if any Municipal Corporations should fail to perform any obligation under the Sandwich, Windsor and Amherstburg Railway Act, 1930, or any amendment thereof or under the Agreement between the Company and the Corporations therein referred to the Commission in addition to all other remedies and without liability to either the Company or the Corporations or any of them may, with or without notice and in its absolute discretion, discontinue the service of the Railway in whole or in part and also terminate this Agreement and upon such termination the Commission shall have no further obligation under this Agreement; no such discontinuance of service shall relieve the Company or any Corporation from the performance of any obligation to be performed by them or any of them as in this Agreement or in said Statute, or any amendment thereto or said Agreement between the Company and the Corporations.

10. It is understood and agreed that whenever any Municipal or other work is carried out in any Municipality which in any way affects the Railway, but is not a portion of the Railway, no part of the cost of the same shall be charged against the revenue of the Railway, but that the said cost shall be paid by the Corporation or Corporations within the boundaries of the Municipalities of which the work is done and the said Corporation or Corporations shall indemnify and save harmless the Company and the Commission therefrom; excepting always in special cases of small matters where the Commission may be willing that such cost may be treated and paid as working expenditure.

11. If at any time the Commission deems it necessary for proper and efficient operation of the Railway to construct a connection or connections between the Railway and any other Railway operated by the Commission,

the Commission may construct such connection and the cost thereof shall be apportioned by the Commission between the Railway and such other Railway operated by the Commission, and such apportionment may be by way of rental charges or otherwise; provided that the part of the cost apportioned to the Railway under this Agreement shall be met as the Commission may determine.

12.—(1) The Commission shall not be liable to the Company or the Corporations or otherwise in any way by reason of any error or omission in any reports, estimates, plans or specifications made for the Company or for any act or omission of the Commission in exercising or purporting to exercise the powers and authorities conferred upon it by this Agreement or otherwise.

(2) The Commission as regards all power and authorities conferred upon it by this Agreement shall have absolute and uncontrolled discretion as to the exercise thereof whether in relation to the manner or to the mode or to the time of such exercise and the Commission shall not be liable to the Company or to the Corporations in any way for its exercise of such discretion.

13. The Commission shall have the conduct and control of all claims and actions brought in respect of the Railway whether for alleged negligence arising out of the operation of the Railway or for any other matter or thing in connection with the Railway, and may defend or compromise, settle or dispose of the same as it deems expedient, and such defence, compromise, settlement or disposal shall be binding upon the Company and the Corporations.

14. The Commission shall not be obliged to undertake or continue any work or responsibility under this Agreement until the monies necessary therefor shall have been furnished by the Company to the Commission.

15. The Company as principal hereby agrees to indemnify and save harmless its agent, the Commission, from and against all liability, loss, damage, claim, demands, costs, charges and expenses in connection with the Railway and in connection with the performance by the Commission of its duties and powers under this Agreement.

16. The parties hereto or either of them may transfer and assign the benefits and advantages accruing under this Agreement to the Trustee under the Trust Indentures, or either of them, securing the Bonds of the Company and the Bonds heretofore issued by the Commission in respect of the Railway.

17. By way of compensation to the Commission for the performance of its obligations hereunder the Company agrees to pay to the Commission the cost to the Commission as determined by the Commission of all work done and services performed by it pursuant to this Agreement and the cost to the Commission as determined by the Commission in accordance with the Power Commission Act of supplying electrical power or energy for the purposes of the Railway, which power or energy the Commission is hereby exclusively authorized to supply, and the Commission may deduct such costs payable to it so far as the same may be available from the revenue derived from the operation of the Railway.

IN WITNESS WHEREOF the Commission and the Company have caused this Contract to be executed under their Corporate Seals and the hands of their proper officers duly authorized thereto.

THE HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO,

.....  
Chairman.

.....  
Secretary.

SANDWICH, WINDSOR AND AMHERSTBURG RAILWAY COMPANY,

.....  
.....

## CHAPTER 18.

An Act respecting The Windsor, Essex and Lake  
Shore Rapid Railway Company.

*Assented to 3rd April, 1930.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Windsor, Essex and Lake Shore Rapid Railway Act, 1930.* Short title.

2. By-law number 850 of the township of Sandwich West; by-law number 1225 of the township of Sandwich East; by-law number 659 of the township of Sandwich South; by-law number 839 of the town of Essex; by-law number 695 of the township of Gosfield North; by-law number 339 of the township of Gosfield South; by-law number 692 of the town of Kingsville; by-law number 1366 of the town of Leamington, and by-law number 3938 of the city of Windsor, and all debentures issued or purporting to be issued under any of the said by-laws are confirmed and declared to be legal, valid and binding upon the said municipal corporations and the ratepayers thereof respectively, and shall not be open to question upon any ground whatsoever. Municipal by-laws confirmed.

3. The Mortgage Deed of Trust dated 1st February 1929 between Windsor, Essex and Lake Shore Electric Railway Association and Guaranty Trust Company of Canada as trustee, made to authorize and secure the bonds of Windsor, Essex and Lake Shore Electric Railway Association, Limited, in the first instance to the amount of \$1,000,000 but subject to increase as therein mentioned, and all the terms and provisions therein contained are hereby declared to be valid and binding upon said association and upon the municipal corporations referred to therein, and any and all obligations of said municipal corporations to said association under *The Windsor, Essex and Lake Shore Rapid Railway Act, 1928*, and *The Windsor, Essex and Lake Shore Rapid Railway Act, 1929*, and the agreement between said municipal corporations and said association referred to in said mortgage deed of trust and the rights, powers, privileges and remedies conferred Mortgage deed of trust confirmed.

upon



upon the association thereunder and which have been assigned, transferred to and vested in said trustee under said mortgage deed of trust may be enforced directly against said municipal corporations by said trustee as fully and effectually as if said municipal corporations were parties to said mortgage deed of trust and had covenanted and agreed with said trustee to perform all of said obligations in said Statutes and in said agreement on the part of said corporations to be observed and performed and upon any action or proceeding by said trustee to enforce any of said obligations none of said corporations shall be entitled to raise as a defence thereto any set off, claim or demand whatsoever which any of said corporations might have against said association.

Assessment  
and  
taxation.

4. The said association shall in respect of the property vested in it be subject to assessment and taxation to the same extent only as if the said property were vested in The Hydro-Electric Power Commission of Ontario.

1929,  
c. 56, s. 8,  
subs. 1,  
amended.

5. Subsection 1 of section 8 of *The Windsor, Essex and Lake Shore Rapid Railway Act, 1929*, shall be amended by striking out the first word "The" in the first line thereof, and substituting therefor the words "All fees and," and is further amended by adding after the word "Association" in the second line thereof the words "and to the creation, issue and disposal of the bonds of the association, and to any proceedings taken by the corporations and the Commission pursuant to the provisions of this Act and of *The Windsor, Essex and Lake Shore Electric Railway Act, 1928*," and is further amended by adding at the end of the said subsection the following words, "or as part of the working expenditure of the railway," so that the subsection will now read as follows:

Provision  
for fees and  
expenses.

(1) All fees and expenses incurred in and incidental to the creation and organization of the association and to the creation, issue and disposal of the bonds of the association and to any proceedings taken by the corporations and the Commission pursuant to the provisions of this Act and of *The Windsor, Essex and Lake Shore Electric Railway Act, 1928*, to such amount as shall be approved by the Commission may be paid by the Commission as part of the capital expenditure for the acquisition and rehabilitation of the railway, or as part of the working expenditure of the railway.

Commence-  
ment of Act.

6. This Act shall come into force on the day upon which it receives the Royal Assent.



## CHAPTER 19.

## An Act to amend The Vital Statistics Act.

*Assented to 3rd April, 1930.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Vital Statistics Act, 1930*. Short title.
2. Subsection 3 of section 6 of *The Vital Statistics Act*, is Rev. Stat., c. 78, s. 6, sub. 3, repealed. repealed and the following substituted therefor:
  3. The certificate shall be *prima facie* evidence in any court of the facts certified to be recorded. Certificate as prima facie evidence.
3. Subsection 3 of section 33 of *The Vital Statistics Act* as Rev. Stat., c. 78, s. 33, sub. 3 (1929, c. 26, s. 2), amended. enacted by section 2 of *The Vital Statistics Act, 1929*, is amended by striking out the figures "100,000" in the first line and inserting in lieu thereof the figures "50,000," so that the subsection will now read as follows:
  - (3) In a city having a population of 50,000 or over, the Sub-registrars,— division registrar may, with the approval of the appointment of in cities of 50,000 or over. Registrar-General, appoint such sub-registrars as may be necessary for the more convenient carrying out of the provisions of this Act with respect to the registration of deaths and for the issuing of burial permits.
4. This Act shall come into force on the day upon which Commence-ment of Act. it receives the Royal Assent.

## CHAPTER 20.

## An Act respecting Burlington Beach.

*Assented to 3rd April, 1930.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.      **1.** This Act may be cited as *The Burlington Beach Act, 1930.*

Burlington Beach Commission.      **2.** The corporation heretofore known as the "Burlington Beach Commission," hereinafter called the "Commission," is continued and shall consist of not less than two persons, who shall be appointed from time to time by the Lieutenant-Governor in Council and shall hold office during pleasure. R.S.O. 1927, c. 83, s. 1, (1), (2).

Limits of Burlington Beach.      **3.** All those parcels or tracts of land and premises known as portions of Burlington Beach in the Township of Saltfleet, as shown and coloured red on parts of a plan of survey by Thomas C. Brownjohn, P.L.S., dated Hamilton, September 25th, 1874, of record in the Department of Lands and Forests, which are abutted and bounded as follows:—

First. Commencing at the point A as shown on the plan in the southern limit of the County of Halton; thence easterly along that limit to the easterly shore of the Beach at the point B as shown on the plan; thence southerly along the said Beach to the point C as shown on the plan at the intersection of the northerly limit of the Burlington Canal Reserve; thence westerly along the northerly limit of the Reserve to the westerly shore of the Beach at the point D as shown on the plan; thence northerly along the Beach to the point A as shown on the plan, the place of beginning;

Second. Commencing at the point E on the plan in the southern limit of the Burlington Canal Reserve; thence easterly along that limit to the easterly shore of the Beach at the point F as shown on the plan; thence southerly along the Beach to the point G as shown on the plan, being

the point of intersection with the north side of the road between lots Nos. 28 and 29 in the 1st concession of the Township of Saltfleet, produced easterly to the Beach; thence westerly along the northerly side of that road produced to the westerly shore of the Beach at the point H as shown on the plan; thence northerly along the said Beach to the point E as shown on the plan, the place of beginning;

Third. The Burlington Canal Reserve;

Fourth. The promontory extending into Burlington Bay from the Beach, which is not coloured red on the plan, and which promontory extends from a point a little north of the northerly boundary of the lands granted to Frank E. Walker by letters patent dated 18th May, 1896, southerly to a point opposite the lands granted to James Crooks by letters patent dated 7th April, 1897;

Fifth. Lands under the waters of Burlington Bay and Lake Ontario adjoining the Beach which may be required for water lots and kindred purposes in which the fee is vested in the Crown;

shall continue to be known as "Burlington Beach" and for the purposes of this Act shall be subject to the government of the Commission. R.S.O. 1927, c. 83, s. 2.

4.—(1) Burlington Beach shall be deemed to be separated from and shall not form part of the Township of Saltfleet or the County of Wentworth for municipal or school purposes. R.S.O. 1927, c. 83, s. 24 (1), *part*. Separation from township and county.

(2) For judicial purposes Burlington Beach shall be and shall remain a portion of the County of Wentworth and notwithstanding anything in *The Municipal Act* contained, the Commission shall pay annually on or before the 1st day of December, the sum of \$250 to the corporation of the County of Wentworth in full satisfaction of all liability to the county. R.S.O. 1927, c. 83, s. 24 (1), (4). Part of county for judicial purposes. Annual payment to county.

5. For purposes of elections to the Assembly, Burlington Beach shall be and remain a portion of the Township of Saltfleet, and all persons in Burlington Beach possessing the necessary qualifications shall be entitled to be placed on the voters' lists of that township; and for such purposes the Commission shall annually before the 15th day of July prepare and furnish to the clerk of the township a list of persons so qualified, and, for the information of the clerk, shall furnish Elections to Assembly.

all particulars required in preparing his lists under *The Voters' Lists Act*. R.S.O. 1927, c. 83, s. 27.

Rev. Stat.  
c. 7.

Enquiry as  
to existing  
franchises,  
leases, etc.

**6.** It shall be the duty of the Commission and it shall have power to enquire into and ascertain the facts concerning all franchise agreements, all sub-leases, all portions of Burlington Beach held under sub-leases from the corporation of the City of Hamilton or otherwise, the names of the persons holding the same, the amounts of rents reserved, or other payments provided for in the same, the terms and conditions under which such agreements and sub-leases are made, and all other particulars in connection with the same. R.S.O. 1927, c. 83, s. 3.

Collection  
of arrears  
of rents, etc.

**7.** The Commission shall have power to demand, collect and receive from any person in occupation or use of the lands in Burlington Beach under any such agreement or sub-lease any money due and unpaid for rent or otherwise, in respect thereof. R.S.O. 1927, c. 83, s. 4.

Report on  
proposed  
sales, leases,  
etc.

**8.** The Commission shall, after making such inquiries, report to the Lieutenant-Governor in Council all facts in connection therewith, and shall make such recommendation to the Lieutenant-Governor in Council as to the terms and conditions upon which any land should be leased, sold or otherwise disposed of and any rights, privileges or franchises should be granted to the occupants or to other persons as to the Commission may seem just and proper under the circumstances of each case. R.S.O. 1927, c. 83, s. 5.

Regulations  
as to  
sales, leases,  
etc.

**9.** The Commission, subject to such regulations as may be approved by the Lieutenant-Governor in Council, may make such dispositions by agreement, lease, sale or otherwise as may be approved by the Lieutenant-Governor in Council. R.S.O. 1927, c. 83, s. 6.

Chairman.

Secretary.

**10.**—(1) The Commissioners shall at the first meeting of the Commission in each year elect one of their number as chairman and shall appoint a secretary who for the purposes of this Act shall possess all the rights and powers and perform all the duties that pertain respectively to the offices of clerk and treasurer of a city. R.S.O. 1927, c. 83, s. 1 (3). *Amended.*

Other  
officers.

Rev. Stat.,  
cc. 238, 7.

(2) The Commissioners shall by by-law appoint an assessor or assessors, or assessment commissioner, and collectors of rates and taxes who shall have and perform all the powers and duties provided for in *The Assessment Act* and *The Voters' Lists Act* in the case of clerks, assessors and collectors for the collection of all money due from the owners or occupants of

any lands in Burlington Beach. (See R.S.O. 1927, c. 83, s. 19 (1).)

(3) Subsection 1 of section 2 of *The Statute Labour Act* shall apply *mutatis mutandis* to Burlington Beach and to the Commission in the same manner and to the same extent as to a city and to the council thereof. R.S.O. 1927, c. 83, s. 19 (2).

Statute labour Rev. Stat. c. 239.

**11.** No action shall be brought against the Commissioners personally for anything done or omitted to be done under this Act without the authority of the Lieutenant-Governor in Council. R.S.O. 1927, c. 83, s. 23.

Action not to lie against commission without consent of Crown.

**12.**—(1) The Commission shall cause books to be provided and true and accurate accounts to be entered therein of all sums of money received and paid out and of the several purposes for which the same were received and paid out; and such books shall be at all times open to the inspection of the Treasurer of Ontario and of any person appointed by him, or by the Lieutenant-Governor in Council, or by a majority of the ratepayers in Burlington Beach for such purposes, and any such person may take copies or extracts from such books.

Books of account.

(2) Sections 10, 30, 32 and 33 of *The Audit Act* shall apply to the accounts of the Commissioners in respect of receipts and expenditures.

Application of Rev. Stat. c. 25.

(3) A summary of the receipts and expenditures shall be published annually in a newspaper published in the City of Hamilton. R.S.O. 1927, c. 83, s. 21.

Publication of summary.

**13.** The Commission shall on or before the 1st day of December in each year report to the Lieutenant-Governor in Council the receipts and expenditures of the year and such other matters as may appear to it to be of public interest in relation to the government of Burlington Beach, or to anything arising out of this Act, and shall in all cases supply to the Lieutenant-Governor in Council such information relating thereto as he may direct. R.S.O. 1927, c. 83, s. 22.

Annual report to Crown

**14.** The Commission shall collect all rents, taxes or other money accruing due in respect of lands in Burlington Beach and may expend so much of the money received therefrom as may in its opinion seem necessary or expedient in beautifying or otherwise improving the same as a park and place of public resort or for any other purpose authorized by this Act. R.S.O. 1927, c. 83, s. 7. *Part.*

Collection of revenues.

Powers of Commission acting as council or board of police commissioners.

Rev. Stat. c. 233.

**15.** Subject to any general or special regulation made with respect to the government of Burlington Beach and subject, in the case of any by-law passed by the Commission, to the approval of the Lieutenant-Governor in Council, the Commission shall have and may exercise within the limits of Burlington Beach all powers and perform the duties conferred and imposed by *The Municipal Act* on the council or on the board of commissioners of police in a city having a population of not less than 100,000, and may from time to time pass by-laws for the appointment of constables and making regulations as to police and for licensing and regulating or prohibiting any trade or calling, and for fixing license fees, and generally for the good government of Burlington Beach in the same manner and to the same extent as any such council or board of commissioners of police. (See R.S.O. 1927, c. 83, s. 9.)

Debentures.

**16.**—(1) The Commission, with the approval of the Lieutenant-Governor in Council may from time to time pass by-laws for contracting debts and for issuing debentures for the construction or erection of any permanent works or improvements authorized by this Act, and may include the amount required to meet the payment of such debt or debentures in the general rate levied annually by the commission, but the total amount of any debentures so issued and outstanding at any one time shall not exceed \$100,000.

Form and terms.

(2) The debentures may be for such amounts, and for such term and in such form and payable in such manner as the Lieutenant-Governor in Council may approve and when issued with such approval shall not be open to question in any manner whatsoever and unless otherwise directed by the Lieutenant-Governor in Council it shall not be necessary to obtain the assent of the electors or to comply with any of the provisions of *The Municipal Act* relating to the contracting of debts by a municipal corporation.

Rev. Stat. c. 233.

Provision for payment.

(3) The amount falling due for principal and interest in each year on account of such debentures shall be payable out of the general revenues of the commission.

Rights of debenture holders.

(4) The holder of every debenture or other obligation issued under the authority of this Act shall have a preferential charge or lien on the revenue of the commission, and the Commission shall pay such debenture debts in priority to all other debts. R.S.O. 1927, c. 83, s. 10.

Authentication of by-law

**17.**—(1) By-laws passed by the commission shall be authenticated by the signatures of the chairman and secretary and the seal of the corporation; and a copy of any such by-law so authenticated shall be of the same force and shall have the

same effect as a copy of a municipal by-law duly certified in the manner provided by *The Municipal Act*.

Rev. Stat.  
c. 233.

(2) The provisions of *The Municipal Act*, relating to the approval of municipal by-laws by the Ontario Railway and Municipal Board shall apply to any by-law heretofore or hereafter passed by the commission in the same manner and to the same extent as if the commission were a municipal corporation. R.S.O. 1927, c. 83, s. 13.

Application  
of Rev. Stat.  
c. 233 as to  
certification  
of by-laws.

18. All sums collected for license fees or for penalties for offences against any by-law passed by the commission shall be paid over to the commission. R.S.O. 1927, c. 83, s. 15.

License fees  
and penalties  
to be paid to  
commission.

19. It shall be the duty of the Commission to keep the highways other than provincial highways in Burlington Beach in proper repair. R.S.O. 1927, c. 83, s. 16.

Maintenance  
of highways.

20. In case a railway operated by electricity upon a highway or any portion of which is so operated has been heretofore constructed in Burlington Beach under any agreement with the corporation of the township of Saltfleet, then so far as such agreement relates to the maintenance and repair of the tracks and roadbed of the railway or the remaining portions of the highways in Burlington Beach over which the railway is operated and to the removal of snow and ice from the tracks of the railway and the disposal of such snow and ice upon the highway or elsewhere, the commission shall, in respect of that portion of the railway in Burlington Beach, be substituted for and have all the rights and may exercise all the powers and be subject to the same duties as the corporation of the township of Saltfleet under such agreement and any officer or person named therein and charged with the performance of any duty in respect to such matters thereunder. R.S.O. 1927, c. 83, s. 17.

Commission  
to have  
rights of  
township  
under  
agreements  
with electric  
railways.

21. All railway companies occupying highways in Burlington Beach shall cause their tracks to conform to the grades of the highways and shall maintain the same in such manner as shall least obstruct the free and ordinary use of the highways and the passage of vehicles over the same; and the upper surface of the rails shall be laid flush with the surface of the highways and shall conform to the grade thereof. R.S.O. 1927, c. 83, s. 18.

Tracks to  
conform to  
grades.

22. Subject to the approval of the Lieutenant-Governor in Council the commission may from time to time pass by-laws,—

Public  
Utilities.

(a) For establishing, constructing, erecting, laying down

and



and maintaining waterworks, electric light and power works, gas works or any other public utility;

(b) For entering into contracts or agreements with any municipal corporation or commission in an adjacent municipality or with any provincial commission or with any company for the supply of any public utility to Burlington Beach or the inhabitants;

(c) For the issue of debentures as provided in section 8 for any of the above purposes.

Application  
of Rev. Stat.  
c. 249.

**23.** *The Public Utilities Act* shall apply to Burlington Beach and to the commission in the same manner and to the same extent as if the commission were a municipal commission established under the said Act.

Powers as to  
schools.

**24.** Subject to the approval of the Lieutenant-Governor in Council the commission shall have and may exercise all the rights and powers and shall perform the like duties, and be subject to the like obligations as the council, board of public school trustees and a board of high school trustees or a board of education in a city.

Debentures  
for school  
purposes.

**25.** The commission, with the approval of the Lieutenant-Governor in Council, may from time to time pass by-laws for the issue of debentures for the establishment, erection and maintenance of a public school or a continuation school in Burlington Beach and such debentures shall be for such amounts and for such term and in such form and payable in such manner as the Lieutenant-Governor in Council may approve and when issued with such approval shall not be open to question in any manner whatsoever and it shall not be necessary to obtain the assent of the electors or to comply with any of the provisions of *The Municipal Act* or of the school laws of Ontario relating to the contracting of debts for school purposes.

Rev. Stat.  
c. 233.

Provision for  
annexation  
to Hamilton.

**26.**—(1) Notwithstanding anything in this or any other Act contained, in case the council of the corporation of the city of Hamilton by resolution declares that it is expedient that the said Burlington Beach, as described in section 3 hereof, should be annexed to the city of Hamilton, and in case the majority of the ratepayers in said Burlington Beach petition the Lieutenant-Governor in Council to add the same to the said city, and after due notice of such resolution and petition has been given by the council of the said city to the council of the corporation of the county of Wentworth, the Lieutenant-Governor in Council may, by proclamation to take effect upon a day to be named therein, annex the said

Burlington Beach to the city of Hamilton, upon such terms and conditions as to the adjustment of assets and liabilities, taxation, assessment, improvements or otherwise howsoever, as shall be determined by the Lieutenant-Governor in Council.

(2) The Lieutenant-Governor in Council may vary or amend the terms and conditions of the said proclamation at any time in case it is deemed expedient so to do and may by proclamation repeal all or any of the provisions of this Act. <sup>Altering proclamation.</sup>

(3) The terms and conditions contained in any such proclamation of the Lieutenant-Governor in Council and the proclamation shall have the same force and effect and be as binding as if such terms and conditions were embodied in an Act of this Legislature. <sup>Effect of proclamation.</sup>

(4) The Lieutenant-Governor in Council may direct that a vote be taken for determining whether or not the majority of the municipal electors of the part proposed to be annexed are in favour of its being annexed, and may fix the time and place for the taking of the vote, name the returning officer and make such other provisions as may be deemed necessary." <sup>Taking plebiscite in annexation.</sup>

**27.** *The Burlington Beach Act*, being chapter 83 of the Revised Statutes of Ontario 1927, except as to section 11, and subsection 7 of section 9, of the said Act, is hereby repealed. <sup>Rev. Stat. c. 83 repealed.</sup>

**28.** This Act shall come into force on the day upon which it receives the Royal Assent. <sup>Commencement of Act.</sup>

## CHAPTER 21.

## The Statute Law Amendment Act, 1930.

*Assented to 3rd April, 1930.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Rev. Stat.,  
c. 18, s. 39,  
cl. b,  
amended.

1. The clause lettered *b* in section 39 of *The Sheriff's Act* is amended by striking out the figure "2" and inserting in lieu thereof the figure "3."

Rev. Stat.,  
c. 25, s. 2,  
amended.

2.—(1) Section 2 of *The Audit Act* is amended by striking out the figures "\$6,000" in the third line and inserting the figures "\$6,500" in lieu thereof.

Retroactive.

(2) The amendment made by subsection 1 shall have effect as from the 1st day of November, 1929.

Rev. Stat.,  
c. 28, s. 4,  
subs. 1,  
amended.

3. Subsection 1 of section 4 of *The Mining Tax Act* is amended by inserting before the word "six" in the second line of the clause lettered *b* the word "and," and by striking out all the words and figures after the figures \$5,000,000 in the third line of the said clause.

Rev. Stat.,  
c. 30, s. 3,  
amended.

4.—(1) Section 3 of *The Provincial Land Tax Act* is amended by striking out the following words at the end of the said section "as being *bona fide* settlers engaged in bringing the land under cultivation or otherwise developing the agricultural resources thereof."

Exemptions.

Rev. Stat.,  
c. 30,  
amended.

(2) *The Provincial Land Tax Act* is amended by adding thereto the following section:

Regulations  
as to exemp-  
tion from  
tax,

3a. The Lieutenant-Governor in Council may make regulations describing and determining the persons who and land which shall be exempt from the said tax under the provision of the preceding section.

Rev. Stat.,  
c. 74, s. 1,  
subs. 2,  
amended.

5. Subsection 2 of section 1 of *The County Publicity Act* is amended by striking out the word "agricultural" in the second line of the subsection.

6. An appeal to His Majesty in His Privy Council from a judgment of a court in an action authorized by section 19 of *The Judicature Act*, shall not be subject to the restrictions contained in the *Privy Council Appeals Act*.

Appeal under Rev. Stat., c. 88, s. 19, not subject.

7. Sections 19 and 33 of *The Judicature Act* are repealed.

Rev. Stat., c. 88, ss. 19 and 33, repealed.

8.—(1) Sections 60 and 61 of *The Surrogate Courts Act* are amended by inserting the words "executor or" before the word "administrator" in the first and fifth lines of each section.

Rev. Stat., c. 94, ss. 60 and 61 amended.

(2) Schedule "B" of *The Surrogate Courts Act* is amended by striking out the figures \$10,000 in the last line but three of the said schedule, and inserting in lieu thereof \$100,000.

Rev. Stat., c. 94, Schedule "B," amended.

9. Section 26 of *The Magistrates Act* is amended by adding after the word "judge" in the first line, the words "or deputy judge."

Rev. Stat., c. 119, s. 26 amended.

10.—(1) Section 3 of *The Summary Convictions Act* is amended by adding thereto the following subsection:

Rev. Stat., c. 121, s. 3, amended.

(2) Notwithstanding anything contained in *The Judicature Act*, a case stated under the said Part XV shall be heard and determined by a Judge of the Supreme Court in Chambers.

(2) Subsection 1 of section 14 of *The Summary Convictions Act* is amended by inserting after the word "upon" in the fourth line, the words "a stated case or upon."

Rev. Stat., c. 121, s. 14, subs. 1, amended.

11.—(1) Section 8 of *The Devolution of Estates Act* is amended by adding thereto the following subsection:

Rev. Stat., c. 148, s. 8, amended.

(4) Where the widow is a patient in an Ontario Hospital and the Public Trustee is committee of her estate, he shall be entitled to exercise on her behalf the power of election conferred by this section.

Where widow patient in Ontario Hospital.

(2) Section 20 of *The Devolution of Estates Act* is amended by adding thereto the following subsection:

Rev. Stat., c. 148, s. 20, amended.

(3a) Where the person beneficially entitled is a patient in an Ontario Hospital and the Public Trustee is committee of his estate, the concurrence and approval required by subsections 2 and 3 of this section may be given by the Public Trustee on behalf of such patient.

Concurrence where person is a patient in an Ontario Hospital.

(3) Subsection 6 of said section 20 is repealed.

Rev. Stat., c. 148, s. 20, subs. 6, repealed.

Rev. Stat.  
c. 148, s. 20,  
subs. 8,  
amended.

(4) Subsection 8 of section 20 of *The Devolution of Estates Act*, is amended by striking out the clauses lettered *a*, *b* and *c* in the said subsection and by inserting in lieu thereof the following:

Real prop-  
erty con-  
veyed, etc.,  
by personal  
representa-  
tion to  
remain  
liable for  
debts.

- (a) Real property conveyed, divided or distributed by virtue of such powers to or among the persons beneficially entitled thereto, shall be deemed to have been and to be liable for the payment of the debts of the deceased owner as if no conveyance, division or distribution had been made, even though it has subsequently during such three-year period been conveyed to a purchaser or purchasers in good faith and for value; but in the case of such purchaser or purchasers, such liability shall only continue after the expiry of such three-year period if some action or legal proceeding has been instituted by the creditor, his assignee or successor to enforce the claim and a *lis pendens* or a caution has, before such expiry been registered against the property, and that

Limitation  
as to  
purchaser  
in good  
faith.

Relief over.

- (b) Although such liability has applied and shall apply as aforesaid, in respect of real property, so conveyed, divided or distributed, any such purchaser, in good faith and for value shall be deemed to have had and to have a right to relief over against the persons beneficially entitled, and where such conveyance, division or distribution was made by the personal representative with knowledge of the debt in respect of which claim is made, or without due advertisement for creditors, then against such personal representative, and that

Where no  
*lis pendens*  
or caution.

- (c) Upon the expiration of such three-year period where no *lis pendens* or caution has been registered, the provisions of subsection 2 of section 23 and of section 25 shall apply as if such real property had become vested in the person beneficially entitled thereto under section 12.

Rev. Stat.  
c. 171,  
amended.

**12.**—(1) *The Limited Partnership Act* is amended by substituting the word “limited” for the word “special” wherever it occurs.

Rev. Stat.  
c. 171, s. 1,  
amended.

(2) Section 1 of the said Act is amended by inserting the words “brokerage, financial” after the word “any” in the first line.

Rev. Stat.  
c. 171, s. 12,  
repealed.

(3) Section 12 of the said Act is repealed and the following substituted therefor:

12. The business of the partnership shall be conducted under a name in which the names of one or more of the general partners shall be used, and unless any limited partner whose name is used in the partnership name wherever it appears is clearly designated as a limited partner in a line immediately beneath the name of the partnership, he shall be deemed a general partner. Partnership name.
- (4) Section 15 of the said Act is repealed and the following substituted therefor: Rev. Stat. c. 171, s. 15, repealed.
15. A limited partner may from time to time examine into the state and progress of the partnership business, and may advise as to its management, and he shall only become liable as a general partner if, in addition to the foregoing he takes part in the control of the business. Rights and liabilities of limited partners.
13. Section 5 of *The Law Society Act* is amended by striking out clause (b) and substituting therefor the following: Rev. Stat. c. 192, s. 5, amended.
- (b) The Attorney-General for Ontario and every person who has held that office, and every person who having been elected a Benchet pursuant to the provisions of this Act, is or has been Deputy Attorney General for Ontario. Deputy Attorney General ex officio Benchet after election.
14. Section 12 of *The Planning and Development Act* is amended by adding thereto the following subsection: Rev. Stat. c. 236, s. 12, subs. 2, amended.
- (2) Where the highway is situate in the urban zone or joint urban zone of a city having a population of not less than 200,000, it shall only be necessary to obtain the approval of the council of such city and of the council of the municipality in which such highway is situate, or of the board. Consent to laying out highway.
15. Subsection 1 of section 9 of *The Public Utilities Act* is amended by inserting after the word "therein" in the third line, the words "or within three miles thereof" and by adding at the end of the subsection the words "Provided that any expenditure on works beyond the limits of the municipality chargeable to capital account, shall be borne and paid by the Province." Rev. Stat. c. 249, s. 9, subs. 1, amended.
16. Subsection 1 of section 13 of *The Athletic Commission Act* is repealed and the following substituted therefor: Rev. Stat. c. 261, s. 13, subs. 1, repealed.
- (1) Where the Ontario Branch of the Amateur Athletic Union of Canada, or any other branch of

the Amateur Athletic Union of Canada or any amateur league or body, operating in Ontario, requests the Commission to cause investigation to be held into any matter which the branch league or body considers should be investigated in the interest of amateur sport in the Province, the Commission may hold such investigation or may refer the matter for investigation to a committee for investigation and report.

Rev. Stat.,  
c. 320,  
amended,

**17.** *The Wolf Bounty Act* is amended by adding thereto the following section:

Additional  
bounty in  
certain  
cases.

8a. The Lieutenant-Governor in Council may direct the payment of a bounty of \$10 in addition to that hereinbefore provided for in section 5 or section 8, upon every wolf taken or killed in any area prescribed by him where it is deemed such action is in the interest of any pioneer settlement and of the Province.

Rev. Stat.  
c. 359, s. 5,  
subs. 4,  
repealed.

**18.**—(1) Subsection 4 of section 5 of *The Hospitals and Charitable Institutions Act* is repealed.

Rev. Stat.,  
c. 359, s. 13,  
repealed.

(2) Section 13 of *The Hospitals and Charitable Institutions Act* is hereby repealed and the following substituted therefor:

Designating  
charitable  
institutions  
to be aided.

(1) The Lieutenant-Governor in Council may designate any public hospital, home or hospital for incurables, refuge, orphanage or infants' home to which aid may be granted; but no such institution shall be so designated unless the Inspector reports that it ought to be aided under this Act.

When order  
to take  
effect.

(2) Every Order-in-Council heretofore or hereafter made designating any public hospital, home or hospital for incurables, refuge, orphanage or infants' home to which aid may be granted shall be deemed to come or to have come into effect on the day specified therein, and if no day is specified, then on the day of the date of such Order-in-Council and from such day every such institution so designated shall, subject to section 14, be conclusively presumed to be receiving aid under this Act.

1921, c. 36,  
s. 6,  
subs. 1,  
repealed.

**19.** Subsection 1 of section 6 of the *Act to Incorporate the Town of Kapuskasing* is repealed and the following substituted therefor:

School  
arrange-  
ments.

(1) The said town of Kapuskasing shall remain a part of the existing rural school section for school purposes,

and



and that part of such school section which lies outside the said town shall nevertheless, for public school and high school purposes, be deemed to be annexed to the said town, and the officers of the said town shall make all assessments and collect all taxes and do all such other acts and perform all such duties and be subject to the same liabilities with respect to that part of such section which lies within the unorganized township of O'Brien as with respect to that part which lies within the said town, and the said taxes shall be paid by the collector to the treasurer of the said town, and the treasurer shall pay over such taxes to the treasurer of the public school board and high school board respectively of such section without any charge or deduction.

**20.**—(1) *The Apprenticeship Act, 1928*, is amended by 1928, c. 25, amended. adding thereto the following section:

16a. To defray the costs of maintaining a system of Employers assessable for cost of system. apprenticeship and administering this Act, the Minister may require employers in any designated trade to contribute annually or otherwise such sums as may be specified in the regulations.

(2) Section 17 of *The Apprenticeship Act, 1928*, is amended 1928, c. 25, s. 17, amended. by inserting therein the following clause:

(ee) governing the manner of making the assess- Regulations. ment provided for in section 16a and the collection and distribution of the same.

**21.** *The Canada Foundry Company Sites Act, 1928*, is 1928, c. 20, repealed. repealed.

**22.** This Act shall come into force on the day upon which Commence- ment of Act. it receives the Royal Assent.

## CHAPTER 22.

## An Act to amend The Judicature Act.

*Assented to 3rd April, 1930.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title,      **1.** This Act may be cited as *The Judicature Act, 1930.*

Rev. Stat.,  
c. 88, s. 73,  
subs. 1,  
amended.

**2.**—(1) Subsection 1 of section 73 of *The Judicature Act* is amended by striking out all the words after the word “practitioner” in the eighth and ninth lines and inserting in lieu thereof the words “or by more than one duly qualified medical practitioner but no medical practitioner shall be appointed to make such examination who is a witness on either side,” and by adding at the end of the said subsection the following clause:

- (a) The court, judge or other person may order the second examination or further examinations upon such terms as to costs as may be deemed proper.

so that the subsection will now read as follows:

Physical ex-  
amination of  
party by  
medical  
practitioner.

- (1) In any action or proceeding for the recovery of damages or other compensation for or in respect of bodily injury sustained by any person, the court which, or the judge, or the person who by consent of parties, or otherwise, has power to fix the amount of such damages or compensation, may order that the person in respect of whose injury, damages or compensation are sought shall submit himself to a physical examination by a duly qualified medical practitioner or by more than one duly qualified medical practitioner, but no medical practitioner shall be appointed to make such examination who is a witness on either side.
- (a) The court, judge or other person may order the second examination or further examinations upon such terms as to costs as may be deemed proper.

(2) Subsection 2 of the said section 73 is amended by striking out the word "The" at the commencement thereof and inserting in lieu thereof the words "Every such" so that the subsection will now read as follows: Rev. Stat., c. 88, s. 73, subs. 2, amended.

- (2) Every such medical practitioner shall be selected by the court, judge or person making the order, and may afterwards be a witness on the trial unless the court, judge or person before whom the action or proceeding is tried otherwise directs. Medical practitioner to be selected by judge and may be witness.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

## CHAPTER 23.

## An Act to amend The Judicature Act.

*Assented to 3rd April, 1930.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The Judicature Act, 1930.*(No. 2).

Rev. Stat.,  
c. 88, s. 19,  
repealed.

**2.** Section 19 of *The Judicature Act* is repealed and the following substituted therefor:

Jurisdiction  
of court  
to make  
declaration  
as to validity  
of statute.

19.—(1) In any action in which the Attorney-General of Canada or the Attorney-General of Ontario is a party plaintiff and the other Attorney-General is a party defendant, the court shall be deemed to have had and shall have jurisdiction to make a declaration as to the validity in whole or in part of any statute of this Legislature or any statute of the Parliament of Canada, which, by its terms, purports to have force in Ontario though no further relief be prayed or sought.

Appeal.

(2) The judgment in any such action shall be subject to appeal as in ordinary cases.

Rev. Stat.,  
c. 88, s. 33,  
repealed.

**3.** Section 33 of *The Judicature Act* is repealed.

Commence-  
ment of  
Act.

**4.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 24.

An Act for the Better Prevention of Vexatious  
Legal Proceedings.*Assented to 3rd April, 1930.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Vexatious Proceedings Act, 1930.* Short title.

**2.**—(1) Where upon an application made by way of originating notice according to the practice of the court and with the consent in writing of the Attorney-General a judge of the Supreme Court is satisfied that any person has habitually and persistently and without any reasonable ground instituted vexatious legal proceedings in the Supreme Court or in any other court against the same person or against different persons, the judge may order that no legal proceedings shall, without leave of the Supreme Court or a judge thereof, be instituted in any court by the person taking such vexatious legal proceedings, and such leave shall not be given unless the court or judge is satisfied that the proceedings are not an abuse of the process of the court and that there is *prima facie* ground for the proceedings. Procedure to prevent bringing of vexatious proceedings.

(2) The Attorney-General shall have the right to appear and be heard in person or by counsel upon any application under subsection 1. Attorney-General may be heard.

(3) A copy of an order made under this section shall be published in the *Ontario Gazette*. Publication of order.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

## CHAPTER 25.

## An Act to amend The County Judges Act.

*Assented to 3rd April, 1930.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.      **1.** This Act may be cited as *The County Judges Act, 1930.*

Rev. Stat.,  
c. 90, s. 9,  
subs. 1;  
subs. 2  
(1928, c. 21,  
s. 18),  
repealed.      **2.** Subsection 1 of section 9 of *The County Judges Act* as amended by subsection 1 of section 3 of *The County Judges Act, 1929*, and subsection 2 of the said section 9 as re-enacted by section 18 of *The County Judges Act, 1928*, and amended by subsection 2 of section 3 of *The County Judges Act, 1929*, are repealed and the following substituted therefor:

Payment of  
allowances  
to county  
judges.      (1) Subject to the provisions of subsection 2 there shall be paid to the judge of every county and district court and to every junior judge of a county or district court an annual allowance of \$1,000 payable monthly, and the said allowance shall be payable out of and chargeable upon the Consolidated Revenue Fund.

In York and  
Middlesex.      (2) There shall be paid to the judge of the county court of the county of York and to each of the junior judges of the said court an annual allowance of \$1,600, and in the county of Middlesex there shall be paid to the judge of the county court holding office on the 1st day of January, 1929, an annual allowance of \$1,300, and the said allowances shall be payable monthly out of the Consolidated Revenue Fund and shall be in lieu of and not in addition to any payments authorized by subsection 1, and upon the judge of the county of Middlesex ceasing to hold office, his successor, if any, shall be entitled only to the annual allowance provided for in subsection 1.

Rev. Stat.,  
c. 90, s. 17,  
repealed.      **3.** Section 17 of *The County Judges Act* is repealed.

4. Section 71 of *The Surrogate Courts Act* is repealed.

Rev. Stat.,  
c. 94, s. 71,  
repealed.

5. This Act shall come into force on the day upon which it receives the Royal Assent and shall have effect as from the 1st day of January, 1930.

Commence-  
ment of  
Act.



## CHAPTER 26.

## An Act to amend The Lunacy Act.

*Assented to 3rd April, 1930.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

**1.** This Act may be cited as *The Lunacy Act, 1930*.

Rev. Stat.,  
c. 98, s. 10, cl.  
*d* amended.

**2.** The clause lettered *d* in section 10 of *The Lunacy Act* is amended by striking out the words "once in every year or oftener if required by the Court" in the fourth and fifth lines and inserting in lieu thereof the words "from time to time at such intervals as may be directed by the Court," so that the clause will now read as follows:

Account-  
ing by  
committee  
repealed.

(*d*) The committee shall give security with two or more sureties in double the amount of the personal estate, and of the annual rents and profits of the real estate, for duly accounting for the same from time to time at such intervals as may be directed by the court, for filing the inventory and for the payment into court of the balances in his hands upon such accounting forthwith after the same shall have been ascertained or otherwise as the court may direct; and

Commence-  
ment of Act.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 27.

## An Act respecting Contributory Negligence.

*Assented to 3rd April, 1930.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Negligence Act, 1930.* Short title.

2. In this Act "action" shall include counter-claim, Interpretation  
 "plaintiff" shall include a defendant who counter-claims, "action,"  
 and "defendant" shall include a plaintiff against whom a "plaintiff,"  
 counter-claim is brought. "defendant."

3. In any action founded upon the fault or negligence of two or more persons the court shall determine the degree in which each of such persons is at fault or negligent, and where two or more persons are found liable they shall be jointly and severally liable to the person suffering loss or damage for such fault or negligence, but as between themselves, in the absence of any contract express or implied, each shall be liable to make contribution and indemnify each other in the degree in which they are respectively found to be at fault or negligent. Extent of liability,—remedy over.

4. In any action for damages which is founded upon the fault or negligence of the defendant if fault or negligence is found on the part of the plaintiff which contributed to the damages, the court shall apportion the damages in proportion to the degree of fault or negligence found against the parties respectively. Plaintiff guilty of contributory negligence.

5. If it is not practicable to determine the respective degree of fault or negligence as between any parties to an action, such parties shall be deemed to be equally at fault or negligent. Where parties to be deemed equally at fault.

6. Whenever it appears that any person not already a party to an action is or may be wholly or partly responsible for the damages claimed, such person may be added as a party defendant upon such terms as may be deemed just. Adding party defendant.

Jury to  
determine  
degrees of  
negligence  
of parties.

7. In any action tried with a jury, the degree of fault or negligence of the respective parties shall be a question of fact for the jury.

When  
plaintiff may  
be liable for  
costs.

8. Where the damages are occasioned by the fault or negligence of more than one party, the court shall have power to direct that the plaintiff shall bear some portion of the costs if the circumstances render this just.

Rev. Stat.,  
c. 103,  
repealed.

9. *The Contributory Negligence Act*, being chapter 103 of the Revised Statutes of 1927, is repealed.

## CHAPTER 28.

An Act to amend The Crown Administration  
of Estates Act.*Assented to 3rd April, 1930.*

**HIS MAJESTY**, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Crown Administration of Estates Act, 1930*. Short title.

**2.** Section 2 of *The Crown Administration of Estates Act* is repealed and the following substituted therefor: Rev. Stat., c. 104, s. 2, repealed.

2.—Where any person dies in Ontario intestate without leaving any known next-of-kin living in Ontario or where the only next-of-kin are infants and there is no near relative in Ontario willing and competent to apply for a grant of administration or to nominate some person to apply for the same, the Public Trustee may apply for letters of administration, general or limited, of the estate of such person and any competent court upon such application may grant administration to the Public Trustee for the use and benefit of His Majesty or of such persons as may ultimately appear to be entitled thereto, but where there are adult next-of-kin residing out of Ontario administration may be granted to the nominee of such next-of-kin at the discretion of the court. Administration where intestate leaves no known adult next-of-kin in Ontario.

**3.** Subsection 1 of section 3 of *The Crown Administration of Estates Act* is repealed and the following substituted therefor: Rev. Stat., c. 104, s. 3, subs. 1, repealed.

(1) Notice of every application for letters of administration of the estate of a person who has died in Ontario intestate and without leaving any known adult next-of-kin living in Ontario shall be given by the registrar of the surrogate court to the Public Trustee by registrar of surrogate court where no known adult next-of-kin in Ontario.

Trustee

Trustee before the issue of letters of administration to any other person, and the Public Trustee may within thirty days after the receipt of such notice, apply for a grant of letters of administration as provided in section 2.

Commence-  
ment of Act. 4. This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 29.

## An Act to amend The Evidence Act.

*Assented to 3rd April, 1930.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Evidence Act, 1930*.

Short title.

2. Section 37 of *The Evidence Act* is amended by striking out the clauses lettered *a* to *f* therein and substituting therefor the following:

Rev. Stat.,  
c. 107, s. 37,  
amended.

- (a) In England or Northern Ireland before a commissioner authorized to administer oaths in the Supreme Court of Judicature;
- (b) In England or Northern Ireland before a judge of the Supreme Court of Judicature;
- (c) In Scotland before a judge of the Court of Session or the Justiciary Court of Scotland;
- (d) In England, Scotland or Northern Ireland before a judge of a county court within his county;
- (e) In the Irish Free State before a commissioner authorized to administer oaths in the courts of justice of the Irish Free State, or before a judge of the Supreme Court of Justice of the Irish Free State, or before a judge of the High Court of Justice of the Irish Free State, or before a judge of the Circuit Court of Justice of the Irish Free State within his circuit;
- (f) In Great Britain or Northern Ireland or in the Irish Free State, or in any dominion or colony of His Majesty, or in any foreign country before the mayor or chief magistrate of any city, borough or town corporate, certified under the common seal of such city, borough or town corporate;

Taking  
affidavits  
out of  
Ontario for  
use in  
Ontario  
courts.

(ff)

(ff) In any colony belonging to the Crown of Great Britain or any dependency thereof, or in any foreign country, before a judge of any court of record of supreme jurisdiction.

Commence-  
ment of  
Act.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent.



## CHAPTER 30.

An Act to amend The Investigation of Titles  
Act, 1929.*Assented to 3rd April, 1930.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Investigation of Titles Act, 1930.* Short title.

2. Subsection 4 of section 3 of *The Investigation of Titles Act, 1929*, is amended by adding thereto the following clause: 1929, c. 41, s. 3, amended.

(b) An instrument, the entry of which has been ruled off the abstract index as provided by section 68a of *The Registry Act* shall not constitute an instrument under this Act upon which a claim shall be based, or one out of which a claim may arise affecting the lands in respect of which the entry of the instrument has been ruled off, notwithstanding that such claim shall be acknowledged, referred to, or set forth in any such instrument. Claim not to be founded on certain instruments.

3. Section 4 of *The Investigation of Titles Act, 1929*, is amended by adding thereto the following words, "nor shall this Act affect the interest of the Crown in land where no patent has issued," so that the section will now read as follows: 1929, c. 41, s. 4, amended. Interest of Crown excepted.

4. This Act shall not apply to land entered on the register in any land titles office, nor shall this Act affect the interest of the Crown in land where no patent has issued. When Act not to apply.

4. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

## CHAPTER 31.

## An Act to amend The Trustee Act.

*Assented to 3rd April, 1930.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Trustee Act, 1930*.

Rev. Stat.,  
c. 150, s. 35  
amended.

2. Section 35 of *The Trustee Act* is amended by adding thereto the following subsection:

Patient in  
Ontario  
Hospital.

(9) Where, however, the person to whom money is due, as mentioned in subsections 4 and 6 of this section, is a patient in a hospital for the insane and the Public Trustee is committee of his estate, the money due shall be paid over to the Public Trustee.

Commence-  
ment of Act

3. This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 32.

## An Act to amend The Public Trustee Act.

*Assented to 3rd April, 1930.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Public Trustee Act, 1930*. Short title.
2. Section 3 of *The Public Trustee Act* is repealed and the following substituted therefor:
 

	Rev. Stat., c. 151, s. 3, repealed.
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- 3.—(1) In the case of the illness or absence of the Public Trustee, or for any other cause, the Lieutenant-Governor in Council may appoint a person to act as the deputy *pro tempore* of the Public Trustee and such deputy, while so acting, shall have all the powers of the Public Trustee.
 

	Appoint- ment of deputy.
--	--------------------------------
- (2) A person may be appointed under this section who shall have power to act from time to time.
 

	Permanent appointment of deputy.
--	--
- (3) In case of the death of the Public Trustee the deputy may act until his authority is revoked or until a Public Trustee is appointed and assumes the duties of his office.
 

	Vacancy in office.
--	-----------------------
- (4) In the case of the illness or absence of the Public Trustee or if the office shall become vacant and no deputy has been appointed, the Attorney General shall be *ex officio* Public Trustee until another appointment is made.
 

	When Attorney General to act.
--	--
3. *The Public Trustee Act* is amended by adding thereto the following section:
 

	Rev. Stat., c. 151, amended.
--	------------------------------------
14. Notwithstanding any rule or practice or any provision of any Act requiring security, it shall not be necessary for the Public Trustee to give any security for the

due performance of his duty as executor, administrator, trustee, committee, or in any other office to which he may be appointed by order of the court or under the provisions of any statute.

Commence-  
ment of Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 33.

## An Act to amend The Charities Accounting Act.

*Assented to 3rd April, 1930.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Charities Accounting Act*, Short title 1930.

2. Section 2 of *The Charities Accounting Act* is amended by striking out the words "and shall be accompanied by an attested copy of the will or other instrument" in the third and fourth lines and inserting in lieu thereof the words "and the notice to the Public Trustee shall be accompanied by an attested or notarial copy of the will or other instrument," so that the section will now read as follows:

2. The notice shall state the nature of the property coming into the possession or under the control of the executor or trustee and the notice to the Public Trustee shall be accompanied by an attested or notarial copy of the will or other instrument.

Notice to Public Trustee and beneficiaries.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

Commencement of Act.

## CHAPTER 34.

## An Act to amend The Registry Act.

*Assented to 3rd April, 1930.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Registry Act, 1930*.

Rev. Stat.,  
c. 155, s. 50a,  
subs. 3, cl. a  
(1929, c. 43,  
s. 5),  
repealed.

2. The clause lettered *a* in subsection 3 of section 50a of *The Registry Act* as enacted by section 5 of *The Registry Act, 1929*, is repealed and the following substituted therefor:

Declaration  
as to condi-  
tion where  
no wife  
joins.

(a) This section shall not apply to a conveyance made in pursuance of power of sale contained in a mortgage, a conveyance or mortgage from a man wherein his wife is the grantee or mortgagee or one of them and is described as his wife therein, a conveyance or mortgage by persons who are the registered owners of the lands as trustees or as joint tenants or as holding the same as partnership property or under power of appointment, provided they are so described in the conveyance of the land to them, or to a mortgage of leasehold lands, or to a conveyance or mortgage made by an executor or administrator or a trustee under a will or by the Public Trustee or other person dealing with land in an official capacity.

Rev. Stat.,  
c. 155, s. 50a,  
subs. 1  
(1929, c. 43,  
s. 5),  
amended.

3. Subsection 1 of section 50a of *The Registry Act*, as enacted by section 5 of *The Registry Act, 1929*, is amended by striking out the word "or" in the sixth line and by inserting the word "or" after the word "unmarried" in the fifth line.

Rev. Stat.,  
c. 155, s. 61,  
subs. 2  
(1929, c. 43,  
s. 7),  
amended.

4. Subsection 2 of section 61 of *The Registry Act* as enacted by section 7 of *The Registry Act, 1929*, is amended by inserting after the word "duplicate" in the ninth line the words "so produced," and by adding thereto the following clause:

Production  
and cancel-  
lation of  
mortgage on  
discharge.

(a) Where the person signing such discharge has since died or is out of the Province of Ontario or his place of residence is unknown to the person interested in

the

the registration of the discharge, or where in the opinion of the registrar for any other reason the necessary declaration cannot conveniently be obtained, the registrar may register the discharge upon receiving a declaration from some person having a knowledge of the facts stating reasons satisfactory to the registrar why a declaration by the proper person cannot be obtained, provided that if the registrar then refuses to register the discharge, the person interested in the registration of such discharge may apply to a county judge for an order permitting such registration, and in such case the declaration or judge's order shall be securely attached to and filed with the discharge.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-  
ment of  
Act.

## CHAPTER 35.

## An Act to amend The Dependants' Relief Act, 1929.

*Assented to 3rd April, 1930.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.      **1.** This Act may be cited as *The Dependants' Relief Act, 1930.*

1929, c. 47,  
s. 2,  
amended.      **2.** Section 2 of *The Dependants' Relief Act, 1929*, is amended by adding thereto the following clauses:

"Testator."      (e) "Testator" shall mean and include a person who by deed or will or by any other instrument or act so disposes of real or personal property, or any interest therein, that the same will pass at his death to some other person;

"Will."      (f) "Will" shall mean and include any deed, will, codicil, instrument or other act by which a testator so disposes of real or personal property that the same will pass at his death to some other person.

1929, c. 47,  
s. 5, subs. 2,  
amended.      **3.** Subsection 2 of section 5 of *The Dependants' Relief Act, 1929*, is amended by adding at the end thereof the following words "but the judge, if he deems it just, may allow an extension of the said period of three months as to any portion of the estate remaining undistributed at the date of the application," so that the subsection will now read as follows:

When  
application  
to be made.      (2) Where letters probate are applied for by the wife or husband of the testator or a guardian on behalf of minor dependants, an application under this section for an allowance for such wife or husband, or for such minor dependants shall be made at the time of applying for letters probate and in every other case the application shall be made within three months after the death of the testator, but the judge, if he deems it just, may allow an extension of the said

period



period of three months as to any portion of the estate remaining undistributed at the date of the application.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-  
ment of  
Act.

## CHAPTER 36.

## An Act to amend The Private Detectives Act.

*Assented to 3rd April, 1930.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title,

**1.** This Act may be cited as *The Private Detectives Act, 1930.*

Rev. Stat.,  
c. 214,  
amended.

**2.** The words "Attorney General of Ontario" are substituted for the words "Treasurer of Ontario," and the words "Attorney General" are substituted for the word "Treasurer" wherever such words occur respectively in *The Private Detectives Act.*

Commence-  
ment of  
Act.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 37.

## An Act to amend The Companies Act.

*Assented to 3rd April, 1930.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Companies Act, 1930*. Short title.
  
2. Subsection 4 of section 5 of *The Companies Act* is amended by the insertion after the word "section" in the fourth line from the end of the words: "on receipt by the company of the consideration for the issue and allotment thereof." Rev. Stat.  
c. 218, s. 5,  
subs. 4  
amended.
  
3. The clause lettered *b* in section 14 of *The Companies Act* is repealed, and the following substituted therefor: "The company files with the Provincial Secretary a prospectus as prescribed by *The Companies Information Act*." Sale of  
shares,  
Rev. Stat.  
c. 218, s. 14,  
c. b.  
Changing  
company to  
a public  
company.  
Rev. Stat.  
c. 218, s. 23,  
cl. m  
amended.
  
4. The clause lettered *m* in section 23 of *The Companies Act* is amended by striking out the words: "of a majority in number." Rev. Stat.  
c. 218, s. 23,  
cl. m  
amended.
  
5. Subsection 2 of section 3 of *The Companies Act, 1929*, is repealed and the amendment to section 34 as made by subsection 1 of the said section shall be retroactive and be deemed to have been in force from the date of the passing of the said section, the eighth day of April, 1926. Any action heretofore brought in respect of a company dissolved under section 32 of *The Companies Act* may be continued but the court shall have regard to this amendment in dealing with the costs thereof. 1929, c. 49,  
s. 3, subs. 2,  
repealed.
  
6. Section 25 of *The Companies Act* is repealed. Rev. Stat.  
c. 218, s. 25,  
repealed.
  
7. Section 56 of *The Companies Act* is amended by adding thereto the following subsection: Rev. Stat.  
c. 218, s. 56,  
amended.

Signing  
such  
certificates.

- (1a) The company may by by-law provide that the signatures of the officer or officers designated to sign certificates may be engraved, lithographed or otherwise mechanically reproduced upon certificates for shares, and in such event, subject to the provisions of such by-law, certificates so signed shall be deemed to have been manually signed by such officers and shall be as valid to all intents and purposes as if they had been manually signed.

Rev. Stat.  
c. 218,  
ss. 65-73,  
repealed.

**8.** Sections 65 to 73 of *The Companies Act* are repealed and the following substituted therefor:

Share  
warrants.

65. A company, if so authorized by its letters patent or supplementary letters patent and subject to the provisions thereof may, with respect to any fully paid-up shares, issue under its common seal a warrant stating that the bearer of the warrant is entitled to the share or shares therein specified, and may provide by coupons or otherwise, for the payment of the future dividends on the share or shares included in the warrant hereafter termed a share warrant.

Effect of  
share  
warrant.

66. A share warrant shall entitle the bearer thereof to the shares therein specified, and the shares may be transferred by delivery of the warrant.

Exchanging  
warrant for  
entry as  
shareholder.

67. The bearer of a share warrant shall, subject to the provisions and regulations respecting share warrants contained in the letters patent or supplementary letters patent, be entitled, on surrendering it for cancellation, to have his name entered on the books of the company as the holder of the shares specified in such share warrant, and the company shall be responsible for any loss incurred by any person by reason of the company entering on its books the name of the bearer of a share warrant in respect of the shares therein specified without the warrant being surrendered and cancelled.

When  
bearer of  
warrant  
may be  
deemed a  
shareholder.

68. The bearer of a share warrant may, if the provisions and regulations respecting share warrants so provide, be deemed to be a shareholder of the company either to the full extent or for any purposes defined by such regulations; except that he shall not be qualified in respect of the shares specified in the warrant for being a director of the company.

When  
shareholder  
has share  
warrant  
issued—  
entry in  
books.

69. On the issue of a share warrant the company shall remove from its books the name of the shareholder

then

then entered therein as holding such share or shares as if he had ceased to be a shareholder, and shall enter in such books the following particulars, namely.

- (a) The fact of the issue of the warrant;
- (b) A statement of the shares included in the warrant; and
- (c) The date of the issue of the warrant.

70. Until the warrant is surrendered, the above particulars shall be deemed to be the particulars required by this Act to be entered in the books of the company in respect of such share or shares, and on the surrender, the date of the surrender shall be entered, as if it were the date at which a person ceased to be a shareholder.

Entry on  
surrender.

71. Unless the bearer of a share warrant is entitled to attend and vote at general meetings the shares represented by such share warrant shall not be counted as part of the stock of the company for the purposes of a general meeting.

Representa-  
tion of  
shares at  
general  
meeting.

9. Section 82 of *The Companies Act* is amended by adding the following subsection:

Rev. Stat.  
c. 218,  
amended.

(4) A copy of the by-law certified under the seal of the company shall be filed forthwith in the office of the Provincial Secretary.

By-laws  
making  
changes in  
capitaliza-  
tion.

10.—(1) Subsection 1 of section 98 of *The Companies Act* is amended by striking out the words: "Subject to the approval in the following subsection mentioned."

Rev. Stat.  
c. 218, s. 98,  
subs. 1,  
amended.

Subsection (2) of section 98 of *The Companies Act* is repealed.

Subs. 2,  
repealed.

11. *The Companies Act* is amended by adding thereto the following sections:

Rev. Stat.  
c. 218,  
amended.

#### AUDITORS, BY-LAWS AND PUBLISHED STATEMENTS.

318a. The report of the auditors of a joint stock insurance company required to be made by section 137 shall also state:

Report of  
auditors of  
joint stock  
insurance  
company.

- (a) That they have audited the books of the company and have verified the cash, bank, balance and securities;

(b)

- (b) In the case of companies transacting other than life insurance, that they have checked the reserve of unearned premiums and that it is calculated as required by *The Insurance Act*;
- (c) That they have examined the reserve for unpaid claims and that in their opinion it is adequate;
- (d) That they have verified the balances owing by agents and other insurers;
- (e) That the balance sheet does not include as assets, items prohibited by *The Insurance Act* from being shown in the annual statements required to be filed thereunder;
- (f) That, after due consideration, they have formed an independent opinion as to the position of the company and that, with their independent opinion so formed, and according to the best of their information and the explanations given them, they certify that in their opinion, the balance sheet sets forth fairly and truly the state of affairs of the company; and
- (g) That all transactions of the company that have come within their notice have been within its powers.

Delivery of  
by-laws to  
Superin-  
tendent,

318b. Every insurer shall deliver to the Superintendent within one month after passing thereof, a certified copy of its by-laws and of every repeal or addition to or amendment or consolidation thereof.

Balance  
sheets and  
statements.

318c. A copy of every balance sheet or other statement published or circulated by an insurer purporting to show its financial condition, shall be mailed or delivered to the Superintendent concurrently with its issue to its shareholders or policyholders, or to the general public.

Offence.

318d. Every person who fails to comply with the provisions of the three next preceding sections shall be deemed to be guilty of an offence under *The Insurance Act*.

Rev. Stat.  
c. 222.

Commence-  
ment of Act.

**12.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 38.

## An Act to amend The Companies Information Act, 1928.

*Assented to 3rd April, 1930.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Companies Information Act, 1930*. Short title.

2. *The Companies Information Act, 1928*, is amended by 1928, c. 33, amended. adding thereto the following section:—

5a.—(1) Where a prospectus, notice or other circular invites subscriptions for shares in, debentures, debenture stock or other securities of a company, every person who is a director of the company at the time of the issue of the prospectus, notice or other circular, and every person who having authorized such naming of him is named in the prospectus, notice or other circular as a director of the company, or as having agreed to become a director of the company, either immediately or after an interval of time, and every promoter of the company and every person who has authorized the issue of the prospectus, notice or other circular shall be liable to pay compensation to all persons who subscribe for any shares, debentures, debenture stock or other securities on the faith of such prospectus, notice or other circular for the loss or damage they may have sustained by reason of any untrue statement in the prospectus, notice or other circular or in any report or memorandum appearing on the face thereof, or by reference incorporated therein or issued therewith, unless it is proved that

- (a) having consented to become a director of the company he withdrew his consent before the issue of the prospectus, notice or other

circular,

circular, and that the prospectus, notice or other circular was issued without his authority or consent; or

- (b) the prospectus, notice or other circular was issued without his knowledge or consent, and that on becoming aware of its issue he forthwith gave reasonable public notice that it was so issued; or
- (c) after the issue of such prospectus, notice or other circular and before allotment thereunder, he, on becoming aware of any untrue statement therein, withdrew his consent thereto, and gave reasonable public notice of such withdrawal and of the reason therefor; or
- (d) with respect to every untrue statement not purporting to be made on the authority of an expert, or of a public official document or statement, that he had reasonable ground to believe and did up to the time of the allotment of the shares or debentures, as the case may be, believe that the statement was true; or
- (e) with respect to every untrue statement purporting to be a statement by or contained in what purports to be a copy of or extract from a report or valuation of an expert, that it fairly represented the statement, or was a correct and fair copy of or extract from the report or valuation, but the director, person named as director, promoter, or person who authorized the issue of the prospectus, notice or other circular, shall be liable to pay compensation as aforesaid, if it is proved that he had no reasonable ground to believe that the person making the statement, report or valuation was competent to make it; or
- (f) with respect to every untrue statement purporting to be a statement made by an official person or contained in what purports to be a copy of or extract from a public official document, that it was a correct and fair representation of the statement or copy of or extract from the document.



- (2) A promoter in this section shall mean a promoter <sup>"Promoter,"</sup> who was a party to the preparation of the prospectus, <sup>who to be</sup> notice or other circular or of the portion thereof <sup>deemed.</sup> containing such untrue statement, but shall not include any person by reason of his acting solely in a professional capacity for persons engaged in procuring the formation of the company."

**3.** This Act shall come into force on the day upon which <sup>Commence-</sup> it receives the Royal Assent. <sup>ment of Act.</sup>

## CHAPTER 39.

An Act for the Prevention of Fraud in connection  
with the Sale of Securities.

*Assented to 3rd April, 1930.*

**H**IS MAJESTY, by and with the advice and consent of  
the Legislative Assembly of the Province of Ontario,  
enacts as follows:—

Short title.

1. This Act may be cited as *The Security Frauds Prevention Act, 1930.*

Interpreta-  
tions.

2. In this Act,—

"Broker."

(a) "Broker" shall mean every person other than a salesman who engages either for the whole or part of his time directly or through an agent in the business of trading in securities and shall include a company, and such officials of a company or partnership which trades in securities as may be designated by the Regulations, and shall include a security issuer except where the context clearly indicates the contrary;

"Company."

(b) "Company" means any incorporated corporation, association or other organization;

"Fraud."

(c) "Fraud," "fraudulent" and "fraudulent act" shall, in addition to their ordinary meaning, include:

(i) any intentional misrepresentation by word, conduct or in any manner of any material fact either present or past, and any intentional omission to disclose any such fact;

(ii) any promise or representation as to the future which is beyond reasonable expectation and not made in good faith;

(iii) any fictitious or pretended trade in any security;

(iv)

- (iv) the gaining or attempt to gain, directly or indirectly, through a trade in any security, a commission, fee or gross profit so large and exorbitant as to be unconscionable and unreasonable;
  - (v) any course of conduct or business which is calculated or put forward with intent to deceive the public or the purchaser or the vendor of any security as to the nature of any transaction or as to the value of such security;
  - (vi) the making of any material false statement in any application, information, material or evidence submitted or given to the Attorney-General, his representative or the Registrar under the provisions of this Act or the Regulations; or in any prospectus or return filed with the Provincial Secretary;
  - (vii) the violation of any provision of this Act or of the Regulations relating to trading in securities;
  - (viii) generally any artifice, agreement, device or scheme, course of conduct or business to obtain money, profit or property by any of the means hereinbefore set forth or otherwise contrary to law and anything specifically designated in the Regulations as coming within the meaning of this definition;
- (d) "Person" shall mean an individual, partnership, association, syndicate and any unincorporated organization; <sup>"Person."</sup>
- (e) "Registrar" shall mean the person appointed by the Lieutenant-Governor in Council to act as Registrar under the provisions of this Act and the Regulations; <sup>"Registrar."</sup>
- (f) "Regulations" shall mean the regulations made from time to time by the Lieutenant-Governor in Council under the provisions of this Act; <sup>"Regulations."</sup>
- (g) "Salesman" shall mean every person employed, appointed or authorized by any broker or company to trade in securities whether directly or through sub-agents; <sup>"Salesman."</sup>

"Security."

(h) "Security" shall include,—

- (a) any document, instrument or writing commonly known as a security, or
- (b) any document constituting evidence of title to or interest in the capital, assets, property, profits, earnings or royalties of any person or company, or
- (c) any document constituting evidence of an interest in an association of legatees or heirs, or
- (d) any document constituting evidence of an interest in any option given upon a security, or
- (e) any document designated as a security by the regulations;

"Security issuer."

- (i) "Security issuer" shall include a company or person, other than an individual, trading in securities of its own issue and not trading generally in other securities;

"Trade."

- (j) "Trade" or "Trading" shall include any solicitation or obtaining of a subscription to, disposition of, transaction in, or attempt to deal in, sell or dispose of a security or interest in or option upon a security for any valuable consideration whether the terms of payment be upon margin, instalment or otherwise, and any underwriting of any issue or part of an issue of a security, and any act, advertisement, conduct or negotiation directly or indirectly in furtherance of any of the foregoing or specifically designated as "trade" or "trading" in the Regulations.

## PART I.

### REGISTRATION OF BROKERS AND SALESMEN.

Brokers,  
officials and  
salesmen to  
register.

3.—(1) No person shall,—

- (a) trade in any security unless he is registered as a broker or salesman of a registered broker, or

(b)

- (b) act as an official of or on behalf of any partnership or company in connection with any trade in any security by the partnership or company, unless he or the partnership or company is registered as a broker,
- (c) act as a salesman of or on behalf of any partnership or company in connection with any trade in any security by the partnership or company, unless he is registered as a salesman of a partnership or company which is registered as a broker,

and such registrations have been made in accordance with the provisions of this Act and the Regulations, and any violation of this section shall constitute an offence.

(2) With the approval of the Attorney-General, any partnership or company may be registered as a broker, <sup>Partnership or company may be registered.</sup> whereupon the partnership or company may trade in securities, and the members and officials of the partnership, and the officials of the company other than branch managers or salesmen of the partnership or company, may act as such without separate registration, and the provisions of this Act, and of the Regulations relating to registered persons or companies, shall be deemed to apply to such partnership or company.

4. Registration shall not be required in respect of any of <sup>Exemptions.</sup> the following classes of trades or securities,—

- (a) A trade in a security taking place at a judicial, <sup>Judicial sales.</sup> executor's, administrator's, guardian's or committee's sale, or at a sale by an authorized trustee or assignee, an interim or official receiver or a custodian under *The Bankruptcy Act*, a receiver under *The Judicature Act*, or a liquidator under *The Companies Act* or *The Winding Up Act*. <sup>R.S.C. cc. 11, 213. (Dom.). Rev. Stat. cc. 88, 218.</sup>
- (b) An isolated trade in a specific security by or on <sup>Isolated transactions by owner.</sup> behalf of the owner, for the owner's account, where such trade is not made in the course of continued and successive transactions of a like character, and is not made by a person whose usual business is trading in securities.
- (c) A trade where one of the parties is a bank, loan <sup>Banks, etc., Crown, municipal and public officials, and registered persons, etc.</sup> company, trust company or insurance company, or is an official or employee, in the performance of his <sup>duties</sup>

duties as such, of His Majesty in right of the Dominion or any province or territory of Canada or of any municipal corporation, or public board or commission in Canada or is registered as a broker under the provisions of this Act.

Sale by  
pledgee for  
debt.

- (d) A trade by or for the account of a pledgee or mortgagee for the purpose of liquidating a *bona fide* debt by selling or offering for sale or delivery in good faith in the ordinary course of business a security pledged in good faith as security for such debt.

Stock  
dividends,  
etc.

- (e) The distribution, issuance or sale by a company exclusively to the holders of its securities of capital stock, bonds or other securities as a stock dividend or other distribution out of earnings or surplus, or in the process of a *bona fide* reorganization of the company, or of additional capital stock where no commission or other remuneration is paid or given in connection therewith.

Exchange  
on merger.

- (f) The exchange by or on account of one company with another company of its own securities in connection with a consolidation, amalgamation or merger of either company.

Prospector's  
"grubstake"  
or share in  
claim.

- (g) A trade in good faith by an actual prospector of a security issued by him for the purpose of financing a prospecting expedition, or for the purpose of disposing of any of his interest in a mining claim or property staked by or wholly or partly owned by him.

Trust.

- (h) Securities in which trust funds may lawfully be invested in Ontario.

Secured  
bonds.

- (i) Securities secured by mortgage upon real estate or tangible personal property where the entire mortgage, together with all of the securities secured thereby or where all of the securities secured thereby are sold at the one time.

Negotiable  
paper.

- (j) Negotiable promissory notes or commercial paper maturing not more than a year from the date of issue.

Securities  
based upon  
conditional  
sales.

- (k) Securities evidencing indebtedness due under any contract made pursuant to the provisions of any statute of any province of Canada providing for the

acquisition

acquisition of personal property under conditional sale contracts.

- (l) Securities issued by a person or company organized exclusively for educational, benevolent, fraternal, charitable, or recreational purposes and not for pecuniary profit, where no part of the net earnings thereof enure to the benefit of any security holder. Shares of non-profit-sharing companies.
- (m) Any class of trade or security specifically exempted from the application of subsections 1 and 2 of this section by the Regulations. Trades or securities exempted by Regulations.
- (n) Securities traded by a company with its employees who are not induced by expectation of employment or continued employment. Company stock sales to employees.
- (o) The issuance of its own securities by a private company. Stock of private company.

5.—(1) Unless the Attorney-General otherwise directs the Registrar may after the receipt by him of any application for registration cause to be entered in a book kept for such purpose and open to public inspection, hereinafter called the "Register," the name and address for service of such applicant, whereupon such applicant shall be deemed to be registered temporarily or otherwise as a broker or salesman as the case may be. Registration within ten days unless Attorney-General objects.

(2) The Registrar may cause a temporary entry to be made, designated as such, in the register, subject to cancellation at any time upon the order of the Attorney-General. Temporary registration.

(3) Registrations shall expire, and may be changed or renewed as the Regulations shall provide. Expiration, change and renewal of registration.

6.—(1) Every application under this Act or the Regulations shall be made in writing upon the forms provided by the Registrar, and shall be accompanied by the fee prescribed by the Regulations and such bond as may be required. Application to be upon forms with proper fees and bonds.

(2) Every applicant, whether domiciled in Ontario or not, shall state in every application an address for service in Ontario, and all notices under this Act or the Regulations and all legal process issued by or on behalf of any person or company shall be sufficiently served for all purposes if posted by registered mail to the applicant at the latest address for service so stated, and in the case of a non-registered company where the officials are registered to the latest address of the person registered as the senior official of such company in Ontario. Address for service.

(3) The Registrar may from time to time and shall when so directed by the Attorney-General require any further information or material to be submitted by any applicant or any registered person or company within a specified time limit and may require verification by affidavit or otherwise of any matter then or previously submitted. Further information.

\$500 bond  
by every  
broker and  
applicant.

7.—(1) Every applicant for registration as a broker shall before registration deliver a bond by the applicant or the person or company he represents as the Registrar may require, such bond to be in the sum of \$500 and in such form and upon such condition as the Regulations shall prescribe.

Bond  
by a surety  
company if  
required.

(2) The Registrar may and when so directed by the Attorney-General shall require any applicant or any registered person or company within a specified time limit to deliver a bond by a surety company approved by the Attorney-General or any other bond in such form and upon such condition as the Regulations shall prescribe, and in such amount as the Regulations or the Attorney-General shall require.

New bond.

(3) The Registrar may and when so directed by the Attorney-General shall require a new or an additional bond of the kind mentioned in subsections 1 or 2 to be filed within a specified time limit.

Forfeiture  
of bonds.

8.—(1) Any bond mentioned in section 7 shall be forfeit and the sum named therein shall become due and owing by the person or company bound thereby as a debt to His Majesty in right of the Province of Ontario when there has been filed with the Registrar the Attorney-General's certificate that the broker or salesman in respect of whose conduct the bond is conditioned, or any official of the broker has, in connection with a trade in a security, been,—

\$500 bond

(a) in the case of the bond mentioned in subsection 1 of section 7,

(i) charged with any criminal offence, or,

(ii) found upon investigation by the Attorney-General or his representative to have committed a fraudulent act, or

Bond  
by surety  
company.

(b) in the case of the bond mentioned in subsection 2 of section 7,

(i) convicted of a criminal offence, or

(ii) convicted of an offence against any provision of this Act or the Regulations, or

(iii) enjoined by the Supreme Court or a Judge thereof otherwise than by an interim injunction,

(iv) a party to civil proceedings in the courts as a result of which final judgment has



been given against such person, company or official in connection with a trade in a security where such judgment is based upon a finding of fraud.

(2) Any bond mentioned in section 7 shall be forfeit<sup>Forfeiture upon bankruptcy or winding up proceedings.</sup> and the sum named therein shall become due and owing by the person or company bound thereby as a debt to His Majesty in right of the Province of Ontario when there has been filed with the Registrar a certificate signed by the Attorney-General that proceedings by or in respect of the broker or salesman in respect of whose conduct the bond is conditioned have been taken under *The Bankruptcy Act*, or by way of winding up.

(3) The Attorney-General may assign any bond forfeited<sup>Assignment of bond or payment of moneys to creditors.</sup> under the provisions of subsections 1 or 2, or may pay over any moneys recovered thereunder to any person, or to the accountant of the Supreme Court in trust for such persons and companies as may become judgment creditors of the person or company bonded, or to any trustee, custodian, interim receiver, receiver or liquidator of such person or company as the case may be, such assignment or payment over to be in accordance with and upon conditions set forth in the Regulations or in any special order of the Lieutenant-Governor in Council.

(4) The Attorney-General, whenever His Majesty becomes a creditor of any person or company in respect of a debt to the Crown arising from the provisions of sections 6, 7 and 8, may take such proceedings as he shall see fit under *The Bankruptcy Act*, *The Judicature Act*, *The Companies Act* or *The Winding Up Act* for the appointment of an interim receiver, custodian, trustee, receiver or liquidator as the case may be.<sup>Bankruptcy proceedings, etc. R.S.C., co. 11, 213. (Dom.), Rev. Stat. co. 88, 213.</sup>

9.—(1) The Attorney-General may order that,—

- (a) any application for registration, renewal, or change of registration shall or shall not be granted for any reason which he may deem sufficient, or that<sup>Attorney-General's orders concerning applications.</sup>
- (b) the application of any person for registration shall not be granted where it appears that such person proposes to use or is using a trading name other than his own, or that of his partner, where such trading name is apt to lead the public to believe it is that of a business firm of longer established standing in Ontario, or is calculated to conceal from the public the identity of the applicant, or is for any reason objectionable, or that<sup>Deceptive names.</sup>

(c)

Temporary  
entries.

(c) any temporary entry in the register shall be made, suspended or cancelled for any reason which he may deem sufficient, or that

Registration  
reduced or  
cancelled.

(d) any registration shall be reduced to a temporary registration or suspended or cancelled upon,—

(i) any proceedings being taken by or in respect of the broker under *The Bankruptcy Act* or by way of winding up, or

(ii) suspension from any stock exchange of any broker or any representative upon any stock exchange of any broker, or

(iii) institution of criminal proceedings against the broker or any official of the broker, or

(iv) conviction of the broker or an official of the broker of an offence against this Act or the Regulations.

Suspension  
or cancel-  
lation for  
default.

(e) the registration of any broker or salesman shall be suspended for any period or cancelled by reason of default in filing a bond when required under the provisions of subsections 2 and 3 of section 7, or that

Suspension  
under Part  
II.

(f) the registration of any broker or salesman shall be suspended as provided in section 11,

and no order of the Attorney-General shall be subject to review in any way in any court.

Entry of  
suspension  
or cancel-  
lation.

(2) The Registrar upon receiving any order of the Attorney-General suspending or cancelling any registration shall cause immediate entry thereof to be made in the register whereupon the suspension or cancellation shall become effective forthwith, but notice thereof and of the refusal of any application shall be sent to the broker or salesman concerned.

Further  
applications.

(3) Notwithstanding any order of the Attorney-General a further application may be made upon new or other material, or where it is clear that material circumstances have changed.

## PART II.

### INVESTIGATION AND ACTION BY THE ATTORNEY-GENERAL.

Investi-  
gation by  
Attorney-  
General.

**10.**—(1) The Attorney-General, or any person or persons to whom as his representative or representatives he may in writing delegate such authority, may examine any person, company, property or thing whatsoever at any time in order to ascertain whether any fraudulent act, or any offence against this Act or the Regulations has been, is being, or is about to be committed, and for such purpose shall have the

same

same power to summon and enforce the attendance of witnesses and compel them to give evidence on oath and to produce documents, records and things as is vested in the Supreme Court or a Judge thereof for the trial of civil cases, save that the provisions of rules of court or of law relating to the service of subpoenas upon and to the payment of conduct money or witness fees to witnesses shall not apply and save further that no person shall be entitled to claim any privilege in respect of any document, record or thing asked for, given or produced on the ground that he might be incriminated or exposed to a penalty or to civil litigation thereby and no evidence given shall be privileged except under *The Evidence Act* and *The Canada Evidence Act*, and save further that no provisions of *The Evidence Act* shall exempt any bank or any officer or employee thereof from the operation of this section.

(2) When the Attorney-General, or his representative, is about to examine or is examining any person or company under this section the Attorney-General may appoint an accountant or other expert to examine documents, records, properties and matters and report thereon to him. Appointment of accountants and other experts.

(3) The failure without reasonable excuse of any person or company to furnish information required by the Registrar under Part I within the time limited, or the failure without reasonable excuse of any person summoned for examination under subsection 1 to appear or his refusal to give evidence or to answer any question where the evidence or answer could be required in an action or the failure without reasonable excuse or refusal of any person or company to produce anything shall constitute an offence and shall also be *prima facie* evidence upon which,— Failure to give information, etc., an offence and also prima facie evidence.

(a) the Attorney-General, or his representative, may base an affirmative finding concerning any fraudulent act to which he may deem it relevant, or

(b) the Supreme Court, or a Judge thereof, may grant an interim or permanent injunction, or

(c) a police magistrate may base a conviction for an offence against this Act or the Regulations.

(4) Disclosure by any person other than the Attorney-General, his representative or the Registrar, without the consent of any one of them, of any information or evidence Evidence not to be disclosed.

obtained or the name of any witness examined or sought to be examined under subsection 1 shall constitute an offence.

Attorney-General  
may

**11.** If the Attorney-General or his representative upon investigation finds that any fraudulent act, or that any offence against this Act or the Regulations, has been, is being, or is about to be committed, the Attorney-General

suspend for  
over ten  
days

(a) may where a registered broker, company or salesman is in his opinion concerned therein, order that the broker, company or salesman and any other registered broker, company or salesman connected with the same organization, be suspended from registration for any period not exceeding ten days, or

and proceed  
by injunc-  
tion.

(b) may where he considers a suspension for ten days inadequate, or where any unregistered person or company is in his opinion concerned in such fraudulent act or in such offence, proceed under the provisions of section 12, or, otherwise under this Act or the Regulations, or

Notice of  
fraud.

(c) may give notice of the fraudulent act to the public by advertisement or otherwise or to any individual by letter or otherwise, whenever he deems it advisable.

Supreme  
Court or  
Judge may  
enjoin from  
trading in  
securities.

**12.—**(1) The Supreme Court or any Judge thereof is hereby empowered upon the application of the Attorney-General, where it is made to appear upon the material filed or evidence adduced that any fraudulent act, or any offence against this Act or the Regulations has been, is being or is about to be committed may by order enjoin,—

(a) any registered broker, company or salesman or any person or company implicated with any of them in the same matter from trading in any security whatever absolutely or for such period of time as shall seem just, and any such injunction shall *ipso facto* suspend the registration of any registered person or company named in the order during the same period, or

(b) any person or company from trading in any security whatever, or in any specific security, or from committing any specific fraudulent act or series of fraudulent acts absolutely or for such period of time as shall seem just.

Application  
may be ex  
parte

(2) The application of the Attorney-General under subsection 1 may be made without any action being instituted, either,—

(a)

- (a) by an *ex parte* motion for an interim injunction which shall, if granted, remain in full force for ten days from the date thereof unless the time is extended or the originating motion mentioned in clause *b* hereof is sooner heard and determined, or
- (b) by an originating notice of motion, which, if an interim injunction has been granted, shall be served within five and returnable within ten days from the date of such interim injunction.

**13.—(1)** The Attorney-General may,—

- (a) when he is about to examine or during or after the examination of any person or company under the provisions of section 10, or
- (b) when he is about to apply for or has applied for or has obtained an injunction, interim or otherwise against any person or company under the provisions of section 12, or
- (c) where criminal proceedings which in his opinion are connected with or arise out of any security or any trade therein, or out of any business conducted by the accused are about to be or have been instituted against any person,

Attorney-General may order funds, etc., to be held.

in writing or by telegram direct any person or company having in Ontario on deposit or under control or for safe keeping any funds or securities of the person or company so to be or actually examined, enjoined or charged, to hold such funds or securities or direct the person or company so to be or actually examined, enjoined or charged to refrain from withdrawing any such funds or securities from any other person or company having any of them on deposit, under control or for safe keeping, or to hold all funds or securities of clients or others in his possession or control in trust for any interim receiver, custodian, trustee, receiver or liquidator appointed under the provisions of *The Bankruptcy Act*, *The Judicature Act*, *The Companies Act* or *The Winding Up Act*, or until the Attorney-General in writing revokes such direction or consents to release any particular fund or security from such direction, and failure without reasonable excuse by any person or company to comply with any such direction shall constitute an offence, provided that no such direction shall apply to funds or securities in a stock exchange clearing house nor to securities in process of transfer by a transfer agent unless such direction expressly so states, and in the case of a bank, loan or trust company the direction shall only apply to the offices, branches or agencies thereof named in the direction.

Proviso.

Application  
for direction.

(2) Any person or company in receipt of a direction given under subsection 1, if in doubt as to the application of such direction to any funds or security, or in case of a claim being made thereto by any person or company not named in such direction, may apply to the Supreme Court or a judge thereof who may direct the disposition of such fund or security and may make such order as to costs as may seem just.

Notice to  
Registrars  
of Deeds or  
Masters of  
Titles.

(3) In any of the circumstances mentioned in clauses (a), (b) or (c) of subsection 1, the Attorney-General may in writing or by telegram notify any Registrar of Deeds or Master of Titles or any Local Master of Titles or any Mining Recorder that proceedings are being or are about to be taken which may affect land or mining claims belonging to the person or company referred to in the said notice which notice shall be registered against the lands or claims mentioned therein and shall have the same effect as the registration of a certificate of *lis pendens*, save that the Attorney-General may in writing revoke or modify such notice.

### PART III.

#### REGULATION OF TRADING.

Selling  
against  
customers'  
buying  
orders.

**14.**—(1) Whenever a person, or a member or employee of a partnership, or a director, officer or employee of a corporation, after he, or the partnership or corporation has contracted as a broker with any customer to buy and carry upon margin any securities of any incorporated or unincorporated company or undertaking either in Canada or elsewhere, and while such contract continues sells or causes to be sold, securities of the same company or undertaking for any account in which,—

- (a) he, or
- (b) his firm or a partner thereof, or
- (c) the corporation or a director thereof,

Customer's  
contract  
voidable.

has a direct or indirect interest, if the effect of such sale shall, otherwise than unintentionally, be to reduce the amount of such securities in the hands of the broker or under his control in the ordinary course of business below the amount of such securities which he should be carrying for all customers, any such contract with a customer shall at the option of such customer be void, and the customer may recover from the broker all moneys paid with interest thereon or securities deposited in respect thereof, and the broker shall be guilty of an offence.

An offence.

(2) The customer may exercise such option by a registered <sup>Exercise of option.</sup> letter to that effect addressed to the broker at his address for service in this Province.

**15.** Every broker who has acted as an agent for a customer shall promptly send or deliver to each customer for whom <sup>Confirmation to customers.</sup> any security has been bought or sold by the broker, a written confirmation of the transaction, setting forth:

- (a) the quantity and description of the security;
- (b) the name of the person or company from or to or through whom the security was bought or sold;
- (c) the day, and the name of the stock exchange, upon which, the transaction took place,

and failure, without reasonable excuse, to comply herewith shall constitute an offence.

**16.** Every stock exchange shall keep a record showing <sup>Record.</sup> the time at which each transaction on such exchange took place and shall supply to any customer of any member of such exchange, upon production of any written confirmation of any transaction with any such member, particulars of the time at which such transaction took place and verification or otherwise of the matters set forth in such confirmation.

## PART IV.

### AUDIT, ACCOUNTS, INFORMATION.

**17.—(1)** In this Part:

<sup>Interpretation.</sup>

- (a) "Brokers' Auditor" shall mean an accountant <sup>"Brokers' Auditor."</sup> whose name is on the panel of accountants approved by an executive committee;
- (b) "Exchange Auditor" shall mean an accountant who <sup>"Exchange Auditor."</sup> shall have practised as such in the Province for not less than ten years and who is employed by the executive committee;
- (c) "Executive Committee" shall include the board <sup>"Executive Committee."</sup> of directors, managing committee or other governing committee of a stock exchange in Ontario.



Panel  
of brokers'  
auditors.

**18.** Every executive committee shall from time to time select a panel of accountants each of whom shall have practised as such in Ontario for not less than five years and shall be known as a brokers' auditor, and shall also employ an exchange auditor.

Exchange  
auditor.

Allotment  
of audits.

**19.** The executive committee shall allot to each brokers' auditor the persons or companies, whether members of or represented upon the exchange, which are to be audited by him, and all of the expenses of every audit are to be paid to the brokers' auditor by the executive committee, subject to full repayment forthwith by the person or company audited, and until such repayment is made the executive committee shall have a lien upon the seat belonging to or controlled by the person or company so indebted to the executive committee.

Duties of  
auditor.

**20.** Every brokers' auditor shall in each year audit the assets and liabilities as at a permanent date in each year fixed by the executive committee and prepare a balance sheet showing the position at such date of the business and affairs of each person or company allotted to him, and shall also in each year make a like audit and prepare a like balance sheet as of a date designated by the exchange auditor, such last mentioned date to be not earlier than four months nor later than eight months from the permanent date in such year, and shall also make such further audit and prepare such further statements and make such further reports as the exchange auditor may think advisable or as the executive committee may direct; no warning or notice shall in any way be given of any audit, other than that of the permanent date.

Special  
audit.

**21.** The executive committee of a stock exchange may at any time require any brokers' auditor upon the panel of accountants of the exchange to make any general or special audit or report upon the whole or any aspect of the business or affairs of any person or company who is or has been a member of or in any way represented upon the exchange.

Powers of  
auditors.

**22.** Every brokers' auditor, for the purpose of any audit under the provisions of this Part shall be entitled to free access to all books of account, securities, cash, documents, bank accounts, vouchers, correspondence and records of every description of the person or company being audited, and any person or company withholding, destroying, concealing or refusing to give any information or thing reasonably required by the auditor for the purpose of his audit, shall be guilty of an offence.



**23.** Every brokers' auditor during or upon the completion of every statement and audit under the provisions of this Part shall send a copy of every report whether interim or final to the exchange auditor and shall in addition specially report to such auditor any particular information which may be required under the by-laws, rules or regulations of the exchange and any further information which the brokers' auditor deems it to be in the public interest so to report, and the exchange auditor shall summarize all information so received, and report thereon to the executive committee for scrutiny, identifying the person or company affected thereby by number only until the executive committee decides to take action in respect of any such person or company, or until the exchange auditor thinks it advisable in the public interest or in the interests of the exchange to disclose such name to the executive committee, and the exchange auditor may, in any report, make such recommendations as he thinks advisable.

Auditors' reports.

**24.** Any person designated in writing by an executive committee may examine under oath any member of the exchange or any officer of any company represented thereon, or any associate or employee of any such person or company upon any matter arising out of any report of a brokers' auditor and for the purposes of such inquiry the person so designated shall have all the powers which a representative of the Attorney-General may exercise under section 10.

Power to examine.

**25.** Any executive committee may in writing, require any person or company whose affairs have been audited or are being audited to alter, supplement or replace any system of book or record keeping in any manner and to comply with any recommendation made by the exchange auditor, and any requirement of such executive committee.

Change of accounting system.

**26.** Failure by any person or company, a member of or represented upon any stock exchange, to comply with any requirement of the executive committee of the exchange, or any person designated by it under section 24, shall constitute an offence and shall entitle the executive committee to suspend such person or member representing such company for such period as the said committee shall determine.

Failure to comply.

**27.** No action shall lie against any stock exchange, executive committee or any member thereof, or any person designated by it under section 24, or against any brokers' or exchange auditor in respect of any act or proceeding, under the provisions of this Part.

No action against auditors, etc.

**28.** Every broker not subject to audit under the preceding sections of this Part, shall file with the Registrar annually, and at such other times as the Registrar may require a certi-

Audits by brokers not members of stock exchanges.

ficate satisfactory to the Registrar as to the financial position of the broker, signed by the broker or by two of the partners or officials thereof, and by an independent accountant, and in addition thereto the Registrar may at any time require a financial statement in any form, from the broker, certified as aforesaid, and failure, without reasonable excuse, to comply with the provisions of this section or the requirements of the Registrar thereunder shall constitute an offence.

## PART V.

### GENERAL PROVISIONS.

Judge  
not *persona*  
*designata*

**29.**—(1) A judge of the Supreme Court in exercising any of the powers conferred upon such judge by this Act shall be deemed so to act as a judge of such court and not as *persona designata*.

nor  
Attorney-  
General.

(2) The Attorney-General shall in all proceedings under this Act or the Regulations be deemed to be acting as the representative of His Majesty in the right of the Province of Ontario, and not as *persona designata*.

Judicature  
Act and  
Rules apply.  
Rev. Stat.,  
c. 88.

(3) The provisions of *The Judicature Act* and the Consolidated Rules of Practice and Procedure made thereunder so far as they are applicable to proceedings of a like nature, including those relating to appeals and to the enforcement of judgments and orders, shall apply to every proceeding before the Supreme Court or a judge thereof under the provisions of this Act, save that service of notices and other legal process shall be in accordance with subsection 2 of section 6 and save that costs may be awarded to but not against the Attorney-General.

No action,  
etc., against  
persons ad-  
ministering  
this Act.

**30.** No action whatever, and no proceedings by way of injunction, mandamus, prohibition or other extraordinary remedy shall lie or be instituted against any person whether in his public or private capacity or against any company in respect of any act or omission in connection with the administration or carrying out of the provisions of this Act or the Regulations where such person is the Attorney-General or his representative, or the Registrar or where such person or company was proceeding under the written or verbal direction or consent of any one of them, or under an order of the Supreme Court or a judge thereof made under the provisions of this Act.

Regulations.

**31.** The Lieutenant-Governor in Council may make, and from time to time amend, alter or repeal, regulations not inconsistent with this Act,—

(a) for the regulation of listing and trading in securities upon any stock exchange, of the records relating thereto and of the clearing of transactions thereon,

(b)

- (b) for the furnishing of information by brokers or salesmen to the public;
- (c) for the preparation and filling of financial statements of the affairs of brokers not represented upon any stock exchange;
- (d) for the creation of offences;
- (e) for the better carrying out of the provisions of this Act and for the more efficient administration thereof;
- (f) for any other purpose elsewhere indicated in this Act;

and all such regulations and any amendment, alteration or repeal thereof shall become effective in all respects as if enacted in this Act upon the publication thereof in the *Ontario Gazette*.

**32.**—(1) Every person who violates any provision of this Act or the Regulations designated as an offence, or who does any fraudulent act not punishable under the provisions of the Criminal Code of Canada, shall be liable upon conviction thereof under *The Summary Convictions Act* to a penalty of not more than \$1,000 for a first offence, nor \$2,000 for a second or subsequent offence, and in case of either a first or a subsequent offence either in default of payment of any penalty imposed, or in addition to such penalty, to imprisonment for a term not exceeding six months. Penalties.  
Rev. Stat.  
c. 121.

(2) The provisions of subsection 1 shall be deemed to apply *mutatis mutandis*, to any company save that the money penalties may be increased in the discretion of the magistrate to a sum not exceeding \$25,000. Companies.

(3) Where any company is convicted under this Act the magistrate may direct that, in default of payment of the penalty imposed, proportionate parts thereof shall be paid by such officers, directors, officials or employees of the company, and in such amounts as he shall designate, and in default of payment by any person so designated the magistrate may impose a penalty of imprisonment for a term not exceeding six months. Apportionment of penalty on company among officers, etc.

(4) No proceedings under this section shall be instituted except with the consent or under the direction of the Attorney General. Consent of the Attorney-General required.

**33.** Any information, evidence, exhibit or thing obtained by the Attorney-General or his representative or the Registrar under the provisions of this Act, or the Regulations, or copies thereof,

Rev. Stat.,  
c. 107.

thereof, or statement that a person or company is or is not registered or other data concerning registration purporting to be certified by the Attorney-General or the Registrar without proof of the office or signature of the person certifying, shall, so far as relevant, be receivable in evidence for all purposes in any action, proceeding or prosecution and, in proceedings under Part II only, the evidence of a witness may be used against him notwithstanding anything in *The Evidence Act* contained.

Collection of  
costs of in-  
vestigation.

**34.** Where in consequence of an investigation under Part II of this Act, any person or company has been,—

- (a) convicted of a criminal offence; or
- (b) convicted of an offence against any provision of this Act or the Regulations; or
- (c) enjoined by the Supreme Court or a judge thereof otherwise than by an interim injunction; or
- (d) examined and documents, records, properties or matters have been examined by an accountant or other expert appointed by the Attorney-General,

the Attorney-General may certify in writing as to the costs of the investigation and shall be entitled to take such proceedings as are available to a judgment creditor for the collection from such person or company of the sum set forth in such certificate, which sum shall be a debt to His Majesty in right of the Province of Ontario.

Execution  
of warrant  
issued in  
another  
province

**35.**—(1) Where a police magistrate or justice of another province issues a warrant for the arrest of any person on a charge of violating any provision of *The Security Frauds Prevention Act* or any similar statute of that province, any police magistrate or justice of Ontario within whose jurisdiction that person is or is suspected to be may upon satisfactory proof of the hand-writing of the police magistrate or justice who issues the warrant make an endorsement thereon in the form prescribed by the regulations, and a warrant so endorsed shall be sufficient authority to the person bringing the warrant and to all other persons to whom it was originally directed and to all police constables within the territorial jurisdiction of the police magistrate or justice so endorsing the warrant to execute it within that jurisdiction and to take the person arrested thereunder either out of or anywhere in Ontario and to re-arrest such person anywhere in Ontario.

(2) Any police constable of Ontario or of any other province of Canada who is passing through Ontario having in his custody a person arrested in another province under a warrant endorsed in pursuance of subsection 1 hereof shall be entitled to hold, take and re-arrest the accused anywhere in Ontario under such warrant without proof of the warrant or the endorsement thereof. Prisoner in transit.

**36.** Section 17 of *The Audit Act* shall apply in respect of any legislative appropriation for the administration of this Act. Expenses. Rev. Stat c. 25.

**37.** *The Security Frauds Prevention Acts, 1928 and 1929*, are hereby repealed. 1928, c. 34.  
1919, c. 51  
repealed

**38.** This Act shall come into force on the day upon which it receives the Royal Assent. Commence-  
ment of Act.

## CHAPTER 40.

An Act for the Registration of Real Estate  
Brokers and Salesmen.

*Assented to 3rd April, 1930.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.      **1.** This Act may be cited as *The Real Estate Brokers Act, 1930.*

Interpreta-      **2.** In this Act,—  
tion.

"Company."      (a) "Company" means any incorporated corporation, association, or other organization.

"Minister."      (b) "Minister" shall mean the member of the Executive Council to whom the Registrar shall, by order of the Lieutenant-Governor in Council, be responsible;

"Person."      (c) "Person" shall mean an individual, partnership, association, syndicate and any unincorporated organization;

"Real estate."      (d) "Real estate" shall include real property and leasehold;

"Real estate broker."      (e) "Real estate broker" shall mean every person or company trading in real estate for whole or part time, for another or others, and for compensation, gain or profit or hope or promise thereof, alone or through one or more officials or salesmen, and every person or company in any way holding himself or itself out as such, and shall include such officials of a company as may be designated by the regulations;

"Registrar."      (f) "Registrar" shall mean the person appointed by the Lieutenant-Governor in Council to act as Registrar under the provisions of this Act and the regulations;

- (g) "Regulations" shall mean the regulations made from time to time by the Lieutenant-Governor in Council under the provisions of this Act; <sup>"Regulations."</sup>
- (h) "Salesman" shall mean every person employed, appointed or authorized by any real estate broker to trade in real estate whether directly or through sub-agents, and shall include sub-agents; <sup>"Salesman."</sup>
- (i) "Trade" or "trading" shall include any disposition of, transaction in, offer or attempt to dispose of real estate by sale, agreement of sale, exchange, purchase, option, lease, rental or otherwise, and any act, advertisement, conduct or negotiation directly or indirectly in furtherance of any of the foregoing, or specifically designated as "trade" or "trading" in the regulations. <sup>"Trade."</sup>

## PART I.

### REGISTRATION.

#### 3.—(1) No person shall,

- (a) trade in real estate unless he is registered as a real estate broker or salesman of a registered real estate broker; <sup>Agents, officials and salesmen to register.</sup>
- (b) act as an official of or on behalf of any partnership or company in connection with any trade in real estate by the partnership or company as a real estate broker, unless he or the partnership or company is registered as a real estate broker;
- (c) act as a salesman of or on behalf of any partnership or company in connection with any trade in real estate by the partnership or company as a real estate broker unless he is registered as a salesman of a partnership or company which is registered as a broker,

and such registrations have been made in accordance with the provisions of this Act and the regulations, and any violation of this section shall constitute an offence.

(2) With the approval of the Minister any partnership or company may be registered as a real estate broker where- <sup>Partnership or company may be registered.</sup> upon the partnership or company may trade in real estate, and the members and officials of the partnership, and the

officials of the company may act as such without separate registration, and the provisions of this Act and of the regulations relating to registered persons or companies, shall be deemed to apply to such partnership or company.

Exemptions. **4.** Registration shall not be required in respect of any trades in real estate by,

R.S.C., c. 11,  
Rev. Stat.,  
cc. 218, 88,  
R.S.C.,  
c. 213.

(a) any assignee, custodian, liquidator, receiver, trustee or other person acting under the provisions of *The Bankruptcy Act*, *The Companies Act*, *The Judicature Act*, *The Winding-up Act*, or to any person acting under the order of any court, or any executor or trustee selling under the terms of any will, marriage settlement or deed of trust;

(b) any person or company not usually trading in real estate as an agent in respect of specific real estate owned by such person or company where such trade is not made in the course of continued and successive transactions of a like character;

(c) any bank, or any loan, trust or insurance company;

Rev. Stat.,  
c. 45

(d) any person in respect of any mine or mining property within the meaning of *The Mining Act* and in respect of the real estate comprised in any Crown grant or lease of a mining claim or mineral lands under *The Mining Act* or any Act for which the same is substituted;

(e) any person in any rural portion of Ontario specified in the regulations, who is carrying on any other business under license or authority from the Government of Ontario;

(f) any class of trades in real estate, or of real estate brokers or salesmen specifically exempted by the regulations.

Application  
of *The*  
*Security*  
*Frauds*  
*Prevention*  
*Act*.

**5.** Sections 5 to 9 inclusive of Part I and Parts II and V, except section 31 of *The Security Frauds Prevention Act, 1930*, shall, *mutatis mutandis*, apply to this Act, save that the words "Attorney-General" wherever they appear in Part I except section 9 and in Part V shall be read as "Minister," and in section 9 and in Part II as "Minister or the Registrar."



## PART II.

## GENERAL PROVISIONS.

6. The Minister or the Registrar may, in respect of any matter of registration or investigation, confer with any committee appointed by any organization of real estate brokers of any locality to act as an advisory board in respect of matters arising within such locality.

Consultation with Advisory Board.

7. The definitions of "fraud," "fraudulent" and "fraudulent act" as set forth in sub-clauses (i), (ii), (vi), (vii) and (viii) of clause (c) of section 2 of *The Security Frauds Prevention Act, 1930*, shall, *mutatis mutandis*, apply to this Act.

Fraud.

8. The Lieutenant-Governor in Council may make, and from time to time amend, alter or repeal, regulations not inconsistent with this Act,

Regulations

- (a) for the regulation of trading in real estate and of the records relating thereto;
- (b) for the furnishing of information by real estate brokers or salesmen to the public;
- (c) for the preparation and filing of financial statements of real estate brokers;
- (d) for defining offences against this Act or the regulation and imposing penalties therefor;
- (e) for the better carrying out of the provisions of this Act and for the more efficient administration thereof;
- (f) for any other purpose elsewhere indicated in this Act;

and all such regulations and any amendment, alteration or repeal thereof shall become effective in all respects as if enacted in this Act upon the publication thereof in the *Ontario Gazette*.

9. No action shall be brought for commission or other remuneration for services as an agent in connection with a trade in real estate unless at the time of rendering such services the person or company bringing such action was registered or exempt from registration under this Act, and the court may stay any such action at any time upon summary application.

Commission not recoverable if not registered.

Expenses,  
Rev. Stat.,  
c. 25.

**10.** Section 17 of *The Audit Act* shall apply in respect of any legislative appropriation for the administration of this Act.

Commence-  
ment of Act.

**11.** This Act shall come into force on a day to be named by the Lieutenant-Governor by his Proclamation.

## CHAPTER 41.

## An Act to amend The Insurance Act.

*Assented to 3rd April, 1930.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Insurance Act, 1930*. Short title.

2. *The Insurance Act* is amended by adding thereto the following section: Rev. Stat., c. 222, amended.

69a.—(1) Every licensed insurer which carries on in Ontario the business of automobile insurance shall prepare and file when required with the Superintendent, or with such statistical agency as he may designate, a record of its automobile insurance premiums, and of its loss and expense costs in Ontario, in such form and manner, and according to such system of classification, as he may approve. Record of automobile premiums and costs.

(2) The Superintendent may require any agency so designated to compile the data so filed in such form as he may approve; and the expense of making such compilation shall be apportioned among the insurers whose data is compiled by such agency by the Superintendent who shall certify in writing the amount due from each insurer and the same shall be payable by the insurer to such agency forthwith. Compilation of data,—expense.

(3) The provisions of subsections 2, 3 and 5 of section 69 shall apply *mutatis mutandis* to the provisions of this section. Application, s. 69, subs. 2, 3 and 5.

3. Subsection 7 of section 70 of *The Insurance Act* is amended by striking out the words "which are more than three months overdue" in the second and third lines and substituting therefor the words "in respect of business written prior to the 1st day of October in the next preceding calendar year" and by adding after the word "unpaid" in the fourth line the words "capital or" so that the subsection will now read as follows:

Certain agents' balances, unauthorized securities, etc., must not show as assets.

- (7) The statement shall not show as assets the unpaid balances owing by agents or other insurers in respect of business written prior to the 1st day of October in the next preceding calendar year, or bills receivable on account of the same, or unpaid capital or premium on subscribed shares of capital stock, or investment in office furnishings or equipment, nor shall such statements include as assets any investments not authorized by any special or general Act to which the insurer is subject.

Rev. Stat., c. 222, s. 71, amended.

4. Section 71 of *The Insurance Act* is amended by adding after the word "Superintendent" in the third line the words "or a balance sheet or other statement in form differing from the form prescribed by the regulations" so that the section will now read as follows:

Published statements.

71. A statement purporting to show the financial condition of an insurer differing from the financial condition shown by the statement filed with the Superintendent, or a balance sheet or other statement in form differing from the form prescribed by the regulations, shall not be published or circulated, and every insurer publishing such a statement shall be guilty of an offence.

Rev. Stat., c. 222, s. 84, repealed.

5. Section 84 of *The Insurance Act* as amended by section 10 of *The Insurance Act, 1929* is repealed and the following substituted therefor:

Contents of policy.

- 84.—(1) Every policy shall contain the name and address of the insurer, the name, address, occupation or business of the insured, the name of the person to whom the insurance money is payable, the premium for the insurance, the subject-matter of the insurance, the indemnity for which the insurer may become liable, the event on the happening of which such liability is to accrue, and the term of the insurance.

Application of section.

- (2) This section shall not apply to contracts of guarantee insurance.

Rev. Stat., c. 222, s. 85, repealed.

6. Section 85 of *The Insurance Act* is repealed.

Rev. Stat., c. 222, s. 95, subs. 2, amended.

7. Subsection 2 of section 95 of *The Insurance Act* is amended by striking out the words "and insuring any manufacturing or mercantile risk" in the second and third lines, so that the subsection will now read as follows:

Fire policy may cover other risks.

- (2) An insurer licensed under this Act for the transaction of fire insurance may either by the same or by a separate contract insure the same risk against loss or damage arising from defects in or injuries to sprinklers

sprinklers or other fire-extinguishing apparatus, or arising from tornado or windstorm.

8. Clause *b* of section 207 of *The Insurance Act* is amended by inserting after the word "benefit" in the fifth line the words "or a double indemnity accident benefit" and by striking out the figures "\$5,000" in the fifth line and substituting therefor the figures "\$10,000" so that the clause will now read as follows:

Rev. Stat.,  
c. 222, s. 207,  
cl. b,  
amended.

- (*b*) If it insures or indemnifies against contingencies other than sickness, accident, disability, or death, or funeral expenses, or if the sum or sums payable on the death of any one person, other than a funeral benefit or a double indemnity accident benefit, exceed in all \$10,000; or

9. Clause *e* of section 208 of *The Insurance Act* is repealed and the following substituted therefor:

Rev. Stat.,  
c. 222, s. 208  
cl. e,  
repealed.

- (*e*) A corporation which undertakes or offers to undertake contracts of insurance prohibited by section 207.

10.—(1) Subsection 12 of section 256 of *The Insurance Act* is amended by adding at the end thereof the following words, "but may not act as agent or broker directly, or indirectly through a broker licensed for business with unlicensed insurers under section 259 or otherwise, in dealing with unlicensed insurers," so that the subsection will now read as follows:

Rev. Stat.,  
c. 222, s. 256,  
subs. 12,  
amended.

- (12) The holder of a license under this section as agent for insurance other than life insurance may, during the term and validity of his license, act as agent for any licensed insurer within the limits prescribed by his license, and may act as an insurance broker in dealing with licensed insurers without other or additional licenses, but may not act as agent or broker directly, or indirectly through a broker licensed for business with unlicensed insurers under section 259 or otherwise, in dealing with unlicensed insurers.

Authority  
of agents

(2) The said section 256 is further amended by adding thereto the following subsection:

Rev. Stat.,  
c. 222, s. 256,  
amended.

- 15a. Notwithstanding anything contained in this section, licenses may be issued to railway ticket agents, authorizing them to act as agents for railway accident and such other classes of insurance as may be approved, under and subject to such regulations as the Lieutenant-Governor in Council may prescribe.

Licensing  
of railway  
ticket agents

Rev. Stat.,  
c. 222, s. 259,  
amended.

**11.** Section 259 of *The Insurance Act* is amended by adding thereto the following subsection:

Prohibition  
against  
accepting  
business  
from agents  
and brokers.

- (10a) A licensee under this section shall accept applications for insurance with unlicensed insurers only from the insured or another licensee under this section and shall not receive any such application from, or pay or allow compensation or anything of value in respect of such applications to, an agent or broker not licensed under this section, and any contract of insurance with an unlicensed insurer made by or through any agent or broker not licensed under this section shall be deemed to be unlawfully made within the meaning of section 262.

Rev. Stat.,  
c. 222,  
amended.

**12.** *The Insurance Act* is amended by adding thereto the following section:

Superin-  
tendent em-  
powered to  
order rate  
adjustment.

- 275a.—(1) It shall be the duty of the Superintendent, after due notice and a hearing before him, to order an adjustment of the rates for automobile insurance, whenever it is found by him that any such rates are excessive, inadequate, unfairly discriminatory, or otherwise unreasonable.

Appeal to  
Appellate  
Division,  
S.C.O.

- (2) Any order made under this section shall not take effect for a period of ten days after its date, and shall be subject to appeal within that time by any insured, insurer or rating bureau, in the manner provided by section 12 of this Act and, in the event of an appeal, the order of the Superintendent shall not take effect pending the disposition of the appeal.

Attorney  
General to  
be heard.

- (3) The Attorney General shall be served with notice of any such appeal and shall be entitled to be heard by counsel upon the hearing thereof.

Penalty.

- (4) Any rating bureau, insurer or other person failing to comply with any provision of such order shall be guilty of an offence.

Commence-  
ment of  
Act.

**13.**—(1) Subject to the provisions of the following subsections, this Act shall come into force on the day upon which it receives the Royal Assent.

(2) Sections 5 and 6 shall come into force on the first day of September, 1930.

(3) Section 12 shall come into force on a day to be named by the Lieutenant-Governor by his proclamation.

## CHAPTER 42.

An Act to amend The Loan and Trust  
Corporations Act.*Assented to 3rd April, 1930.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Loan and Trust Corporations Act, 1930*. Short title.
2. Subsection 2 of section 3 of *The Loan and Trust Corporations Act* is amended by adding the following clause: Rev. Stat.  
c. 223,  
s. 3, subs. 2,  
amended.
  - (k) They shall provide that no transfer of shares of the company may be made which has the effect of reducing the number of shareholders to less than twenty-five. Transfer  
of shares.
3. Subsection 3 of section 17 of *The Loan and Trust Corporations Act* is repealed. Rev. Stat.  
c. 223,  
s. 17, subs. 3,  
repealed.
4. Subsection 5 of section 18 of *The Loan and Trust Corporations Act* is repealed. Rev. Stat.  
c. 223,  
s. 18, subs. 5,  
repealed.
5. *The Loan and Trust Corporations Act* is further amended by adding thereto the following section:
  - 18a.—(1) Every trust company receiving deposits in the manner authorized by subsection 3 of section 18 shall make a sworn return to the Registrar, quarterly on the 15th days of January, April, July and October in each year, drawn in accordance with the form prescribed from time to time by the Registrar, showing the amount of such deposits, and showing all securities including loans made upon securities, and cash, including money on deposit, ear-marked and definitely set aside as provided in subsection 4 of section 18, as the said amounts stood at the end of the last preceding month, and stating that the same were at the date mentioned in such return, so ear-marked and definitely set aside. Quarterly  
returns of  
deposits and  
securities  
allocated.

Quarterly  
returns of  
guaranteed  
funds and  
securities  
allocated.

- (2) Every trust company receiving funds for guaranteed investment as mentioned in subsection 1 of section 16 shall make a sworn return to the Registrar quarterly on the 15th day of January, April, July and October in each year, drawn in accordance with the form prescribed from time to time by the Registrar, showing the amount of such funds, and showing all securities, including loans on securities, and cash, including money on deposit, ear-marked and definitely set aside as provided in subsection 2 of section 17, as the said amounts stood at the end of the last preceding month, and stating that the same were at the date mentioned in such return, so ear-marked and definitely set aside.

Quarterly  
returns by  
trust com-  
panies as to  
deposits and  
liquid  
securities  
available.

- (3) Every trust company receiving deposits in the manner authorized by subsection 3 of section 18 shall make a sworn return to the Registrar quarterly, on the 15th days of January, April, July and October in each year, drawn in accordance with the form prescribed from time to time by the registrar, showing the amount of such deposits and showing the amount of cash on hand and on deposit, and the amount of debentures, bonds, stock or other securities of, or guaranteed by the Dominion of Canada, and of, or guaranteed by, any province of Canada, less any incumbrances thereon, and the amount of bonds, debentures and other securities of any municipal corporation in Ontario or of any city in Canada, less any incumbrances thereon, and the principal amount of any moneys payable to the company on demand, the payment of which is secured by the mortgage or pledge of any of the securities hereinbefore in this subsection mentioned, as the said amounts stood at the end of the last preceding month, and including in such statement all such cash and securities and loans as defined in this subsection, whether owned by the company or held by it as guaranteed investments under the provisions of subsection 2 of section 17, or subsection 4 of section 18, and stating that the same were at the date mentioned in such return on hand and available for depositors.

Rev. Stat.,  
c. 223, s. 28a,  
subs. 2,  
(1929, c. 54,  
s. 5),  
amended.

6. Subsection 2 of section 28a of *The Loan and Trust Corporations Act* as enacted by section 5 of chapter 54 of the 1929 Statutes, is amended by striking out the word "corporation" in the second line, and inserting in lieu thereof the words "trust company."



7. *The Loan and Trust Corporations Act* is amended by adding thereto the following section: Rev. Stat.,  
c. 223,  
amended.

36a.—(1) No registered corporation, and no director, officer or employee thereof, either personally or on behalf of such corporation, and no other company the majority of the capital stock of which is owned or controlled by such corporation, its shareholders, directors, officers or employees, shall, either directly or indirectly, transact the business of or act as insurance agent or broker within the meaning of *The Insurance Act*, or exercise pressure upon any borrower or mortgagor to place insurance for the security of such corporation, in or through any particular agency or brokerage office; provided that nothing herein contained shall prevent such corporation from stipulating in its contract of loan that any required insurance must be effected with an approved insurer. Prohibition  
against act-  
ing as in-  
surance  
agent.  
  
Rev. Stat.,  
c. 223.

(2) Subsection 1 shall not apply to the director of a registered corporation who can satisfy the Superintendent of Insurance that the business of insurance is his major occupation. Exception.

8. Section 148 of *The Loan and Trust Corporations Act* is repealed and the following substituted therefor: Rev. Stat.,  
c. 223, s. 148,  
repealed.

148.—(1) The Registrar shall visit personally or cause a duly qualified member of his staff to visit at least once annually the head office of each corporation registered under this Act, and he shall verify the statements of the condition and affairs of each corporation and make such inquiries as are necessary to ascertain its condition and ability to provide for the payment of its liabilities as and when they become due, and whether or not it has complied with all the provisions of this Act, and the Registrar shall report thereon to the Minister, as to all matters requiring his attention and decision. Annual  
inspection of  
registered  
corporations.

(2) Where the Registrar deems it necessary and expedient to make a further examination into the affairs of a corporation and so reports to the Minister, the Minister may in his discretion instruct the Registrar to visit or cause any duly qualified member of his staff to visit any branch office or offices of the corporation to inspect and examine into its affairs and to make such further inquiries as the Minister may require. Further  
inspection.

Material to  
be furnished  
on inspec-  
tion.

- (3) For the purpose of an examination, the corporation shall prepare and submit to the Registrar such statements with respect to its business, finances or other affairs of the corporation, in addition to the statement mentioned in this Act, as the Registrar may require, and the officers, agents and servants of the corporation shall cause their books to be open for inspection and shall otherwise facilitate such examination so far as it is in their power.

Production  
of books at  
head office or  
elsewhere as  
Registrar  
may direct.

- (4) In order to facilitate the examination of the books and records of a corporation, the corporation may be required by the Registrar with the approval of the Minister, to produce the said books and records at the head office or chief office of the corporation in Ontario, or at such other convenient place as the Registrar may direct.

Examination  
under oath.

- (5) The Registrar or any person authorized by the Minister may examine under oath the officers, agents or servants of the corporation for the purpose of obtaining any information which he deems necessary for the purpose of such examination.

Expense  
of further  
inspection.

- (6) Where an examination is made of any branch or other office of a corporation situated outside of Ontario, under the authority of subsection 2 hereof, the corporation shall pay the account of the Department in connection with such examination upon the certificate of the Registrar approved by the Minister.

Commence-  
ment of  
section 7.

- 9.** Section 7 of this Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 43.

## An Act to amend The Railway Act.

*Assented to 3rd April, 1930.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 232 of *The Railway Act* is amended by adding thereto the following subsection: Rev. Stat.,  
c. 224, s. 232,  
amended.

- (6) Any such municipal corporation may maintain and operate motor-driven busses in conjunction with and as part of its street railway system but subject to the provisions of *The Public Vehicle Act* if such busses are operated outside the municipality. Motor  
busses.  
Rev. Stat.,  
c. 252.

## CHAPTER 44.

## The Municipal Amendment Act. 1930.

*Assented to 3rd April, 1930.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Rev. Stat.,  
c. 233, s. 20,  
subs. 3,  
amended.

**1.** Subsection 3 of section 20 of *The Municipal Act* is amended by adding at the end thereof the following words:

“And where it appears to the Board that it is expedient to amend the terms and conditions of any order of the Board annexing any adjacent territory to a city or town, the Board may, with the consent of the councils of the municipalities concerned amend or vary such order but not so as to impose more onerous terms and conditions upon the annexed territory than those contained in such order.”

Rev. Stat.,  
c. 233, s. 51,  
subs. 1,  
repealed.

**2.**—(1) Subsection 1 of section 51 of *The Municipal Act* is repealed and the following substituted therefor:

Deputy  
reeves in  
towns, vil-  
lages and  
townships.

(1) A town not being a separated town, and a village and a township in a county shall each be entitled where it has more than 1,000 and not more than 2,000 municipal electors to a deputy reeve, and where it has more than 2,000 and not more than 3,000 municipal electors the reeve shall have an additional vote, and where it has more than 3,000 municipal electors the reeve and the deputy reeve shall each have an additional vote.

Commence-  
ment of  
section.

(2) Subsection 1 shall come into force on January 1st, 1932.

Rev. Stat.,  
c. 233, s. 53,  
subs. 1, cl. o,  
amended.

**3.** Clause (o) of subsection 1 of section 53 of *The Municipal Act* is amended by adding at the end thereof the following words: “Contract in this clause includes in cities, towns and villages a contract with public and high school boards and boards of education.”

Rev. Stat.,  
c. 233, s. 65,  
subs. 4,  
amended.

**4.** Subsection 4 of section 65 of *The Municipal Act* is amended by striking out the words “town or village” in the

first

first line and inserting in lieu thereof the words "city, town, township or village," so that the subsection will now read as follows:

- (4) The council of a city, town, township or village may by by-law provide that the meeting for the nomination of all candidates may be held at half-past seven o'clock in the afternoon and any such by-law shall remain in force from year to year until it is repealed.
- In cities, towns, townships and villages.

5. Subsection 4a of section 70 of *The Municipal Act* as enacted by section 1 of *The Municipal Amendment Act, 1929*, is amended by inserting at the commencement thereof the words "In cities and towns."

Rev. Stat., c. 233, s. 70, subs. 4a (1929, c. 58, s. 1), amended.

6. Section 70 of *The Municipal Act* is amended by adding thereto the following subsection:

Rev. Stat., c. 233, s. 70, amended.

- (4b) Where at the annual municipal elections held for 1930 a candidate for any office qualified as a tenant in respect of certain land and filed the certificate as to taxes required by subsection 4a as enacted by section 1 of *The Municipal Amendment Act, 1929*, and was afterwards declared elected, he shall not be held to be disqualified by reason only of its having been found, after the filing of such certificate, that taxes were in arrear on such land.
- Saving case of tenant filing certificate as to payment of taxes.

7. Section 75 of *The Municipal Act* is amended by inserting after the word "on" in the sixth line thereof the following words, "the Friday preceding."

Rev. Stat., c. 233, s. 75, amended.

8. *The Municipal Act* is amended by adding thereto the following section:

Rev. Stat., c. 233, amended.

- 83a. In cities having a population of not less than 100,000 where difficulty arises in obtaining a suitable polling place in any polling subdivision, by-laws may be passed by councils of such cities for providing a polling place for such polling subdivision in an adjoining polling subdivision.
- Polling places.

9. Section 271 of *The Municipal Act* is amended by adding thereto the following subsection:

Rev. Stat., c. 233, s. 271, amended.

- (9) Where more money by-laws than one are submitted at the same time, all, or any number of such by-laws may be included in one notice of submission required by subsections 6 and 7.
- Submission of by-laws.

10. Section 297 of *The Municipal Act* is amended by adding thereto the following subsection:

Rev. Stat., c. 233, s. 297, amended.

Premium  
note.

- (1a) Where a corporation gives a premium note for fire insurance it shall not be deemed to be incurring a debt, the payment of which is not provided for in the estimates for the current year, as provided by subsection 1.

Rev. Stat.,  
c. 233, s. 304,  
subs. 3,  
amended.

- 11.** Subsection 3 of section 304 of *The Municipal Act* is amended by striking out the words "and except in the case provided for by section 300, the burden on the ratepayers is not increased by the amending by-law" in the fifth, sixth and seventh lines thereof.

Rev. Stat.,  
c. 233, s. 306,  
amended.

- 12.**—(1) Section 306 of *The Municipal Act* is amended by striking out the words "assess and levy on the whole rateable property within the municipality," in the second and third lines and inserting in lieu thereof the words "levy on the whole rateable property according to the last revised assessment roll."

Rates  
for 1930.

- (2) Any rates heretofore levied by the council of any municipality in the year 1930 shall be deemed to have been levied under the provisions of section 306 as amended by subsection 1.

Rev. Stat.,  
c. 233, s. 354,  
amended.

- 13.** Section 354 of *The Municipal Act* is amended by inserting after the word "county" in the fourth line the words "or district."

Rev. Stat.,  
c. 233, s. 396,  
par. 31  
(1929, c. 58,  
s. 5),  
amended.

- 14.** Paragraph 31 of section 396 of *The Municipal Act* as amended by section 5 of *The Municipal Amendment Act, 1929*, is further amended by adding at the end thereof the following: "The councils of any two or more municipalities may enter into an agreement for the establishment of an air harbour and the joint exercise of all the powers and rights contained in this paragraph upon such terms as may be agreed and may entrust the control and management of any air harbour or landing ground so established to a commission appointed by such councils pursuant to agreement."

Rev. Stat.,  
c. 233, s. 398,  
par. 2,  
amended.

- 15.** Paragraph 2 of section 398 of *The Municipal Act* is amended by adding thereto the following clauses:

Formal  
order of  
Board.

- (d) The approval of the Municipal Board to any such by-law shall be given by a formal order of the Board, and until such formal order has been made the approval of the Board shall not be deemed to have been given to any such by-law.

Determining  
owners to  
be notified.

- (e) The Municipal Board shall have power and authority to determine who are the owners affected by any such by-law to whom notice of the application to

the Board required by clause *c* shall be given and the order of the Board determining the owners to whom such notice shall be given shall be final and conclusive and not subject to appeal.

**16.** Paragraph 43 of section 399 of *The Municipal Act* is amended by adding thereto the following clause: Rev. Stat.,  
c. 233, s. 399,  
par. 43  
amended.

- (a) A by-law passed under the authority of this paragraph may be made applicable only to one or more highways or public places named therein or to any defined area. Application  
of by-law.

**17.** Section 400 of *The Municipal Act* is amended by adding thereto the following paragraph: Rev. Stat.,  
c. 233, s. 400,  
amended.

15. For requiring every owner of land upon which there is erected a building used or intended to be used for commercial purposes to keep in repair any portion of his land lying between the building and the street line which is used by the public as part of the sidewalk on such street, and for providing that in the event of any such owner refusing to keep same in repair or neglecting to put same in repair within one month after notice from the corporation the corporation may put same in repair at the expense of the owner, and for collecting or recovering the expenses incurred in so doing in the manner provided by section 512. Owner to  
keep certain  
land in  
repair.

**18.** Paragraph 1 of section 408 of *The Municipal Act* is amended by inserting the words "owners and" after the word "draymen," in the second line thereof. Rev. Stat.,  
c. 233, s. 408,  
par. 1,  
amended.

**19.**—(1) Paragraph 2 of section 411 of *The Municipal Act* is amended by inserting after the word "prohibiting" in the eighth line thereof the words "the use of land or." Rev. Stat.,  
c. 233, s. 411,  
par. 2,  
amended.

(2) Paragraph 3 of section 411 of *The Municipal Act* is amended by inserting the words "land or" immediately before the word "buildings" in the third line thereof. Rev. Stat.,  
c. 233, s. 411,  
par. 3,  
amended.

(3) Clause *b* of paragraph 4 of section 411 of *The Municipal Act* is amended by striking out the word "building" in the second and third lines thereof and inserting in lieu thereof the words "building, land or premises." Rev. Stat.,  
c. 233, s. 411,  
par. 4, cl. b,  
amended.

**20.** The first five lines of paragraph 1 of section 419 of *The Municipal Act* are repealed and the following substituted therefor: Rev. Stat.,  
c. 233, s. 419,  
par. 1,  
repealed.

Licensing,  
regulating  
junk shops,  
etc.

1. For licensing, regulating, governing and controlling the location of junk shops, junk yards, second-hand shops and dealers in second-hand goods and for revoking the license.

Rev. Stat.,  
c. 233, s. 422,  
par. 4,  
amended.

**21.** Paragraph 4 of section 422 of *The Municipal Act* is amended by adding after the word "dealer" in the fourth line, the following words: "and for licensing, regulating and governing bakers, butchers and grocers whose place of business is out of Ontario but who go from place to place or to a particular place in Ontario to make sales or deliveries of bread, meat and groceries to any person other than to a retail dealer."

Licensing  
butchers,  
bakers, etc.

Rev. Stat.,  
c. 233, s. 424,  
amended.

**22.** Section 424 of *The Municipal Act* is amended by adding to the heading thereof the following words "and of townships bordering on a city having a population of not less than 100,000," and by adding at the end of the section the following clause:

Application  
of by-law.

- (a) Where the council of a town or township has passed a by-law under this section the by-law of the county shall not be in force in such town or township while the by-law of such town or township remains in force.

Rev. Stat.,  
c. 233, s. 429,  
par. 6, cl. b  
(1929, c. 58,  
s. 12),  
repealed.

**23.** Clause *b* of paragraph 6 of section 429 of *The Municipal Act* as enacted by 1929, chapter 58, section 12, is repealed and the following substituted therefor:

Stock of  
insolvent.

- (b) The by-law shall not apply to the sale of the stock of a bankrupt or an insolvent, within the meaning of any Bankruptcy or Insolvency Act in force in Ontario, nor to the sale of any stock damaged by or by reason of fire, which is being sold or disposed of within the municipality in which the business was being carried on at the time of the bankruptcy, insolvency or fire so long as no goods, wares or merchandise are added to such stock.

Rev. Stat.,  
c. 233, s. 431,  
par. 1,  
amended.

**24.** Paragraph 1 of section 431 of *The Municipal Act* is amended by adding at the end thereof the words "and for revoking and cancelling the license."

Rev. Stat.,  
c. 233, s. 435,  
amended.

**25.** Section 435 of *The Municipal Act* is amended by striking out the words "with the assent of the municipal electors" in the second and third lines thereof.

Commence-  
ment of  
Act.

**26.** This Act excepting section 2 shall come into force on the day upon which it receives the Royal Assent.



## CHAPTER 45.

## An Act to amend The Local Improvement Act.

*Assented to 3rd April, 1930.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:

1. Section 27a of *The Local Improvement Act* is amended by inserting the word "grading" after the word "extension" in the second line of the said section. Rev. Stat.,  
c. 235, s. 27a,  
amended.

2. *The Local Improvement Act* is amended by adding thereto the following section: Rev. Stat.,  
c. 235,  
amended.

48a. Any special or general rate imposed by a by-law providing for the issue of debentures to pay for the cost or part of the cost of a work undertaken under this Act may be levied by the council as soon as the by-law is passed, and no such rate heretofore or hereafter levied shall be held to be illegal by reason of the debentures in respect to which the rate is levied, or any of same, not having been issued at the time of levying such rate. Time special  
or general  
rate may be  
levied.

## CHAPTER 46.

## The Assessment Amendment Act, 1930.

*Assented to 3rd April, 1930.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Rev. Stat.,  
c. 238, s. 4,  
par. 22,  
repealed.

1.—(1) The paragraph numbered 22 in section 4 of *The Assessment Act* is repealed and the following substituted therefor:

Exemption  
on income.

22. The annual income derived from any source by any person assessable directly in respect to income under this Act, to the amount of \$3,000 if such person is a householder in the municipality and assessed as such, or being the head of a family occupies with his family any portion of a dwelling house although not assessed therefor, or if the person is a widow or over sixty years of age, and to the amount of \$1,500 in the case of all other persons.

Rev. Stat.,  
c. 238, s. 4,  
par. 23,  
amended.

(2) The paragraph numbered 23 in section 4 of *The Assessment Act* is amended by striking out the words "derived from personal earnings" in the first line thereof.

(3) This section shall not apply to taxes levied in 1930 on an assessment made in 1929.

Rev. Stat.,  
c. 238, s. 14,  
subss. 3,  
amended,

2.—(1) Subsection 3 of section 14 of *The Assessment Act* is amended by inserting after the word "company" in the sixth line thereof the following words, "and the poles, structures or conduits used in connection therewith."

Rev. Stat.,  
c. 238, s. 14,  
subss. 4  
and 5,  
repealed.

(2) Subsections 4 and 5 of section 14 of *The Assessment Act* are repealed and the following substituted therefor:

Assessment  
of circuits  
of local  
telephone  
systems.

(4) Where a telephone company does not operate generally throughout Ontario and is not authorized by Statute to carry on business throughout Ontario, the circuits placed or strung on poles or other structures or conduits operated or used by the company,

and

and the poles, structures or conduits used in connection therewith within any township shall be assessed at their actual value, but not exceeding in the whole the rates per mile prescribed by this section except that where the first circuit placed or strung on any poles or other structures of the company and included in the computation of the assessor consists of iron wire such value shall not exceed \$50 per mile.

- (5) In the computation of the length of such telephone circuits in a township the circuits placed or strung within a police village and every circuit placed or strung on poles or other structures or in conduits, and the poles, structures or conduits used in connection therewith which does not exceed twenty-five miles in length and which is not used as a connecting circuit between two or more central exchange switchboards, shall not be included.

Computation of length of circuits.

3.—(1) Section 12 of *The Assessment Act* as enacted by section 2 of *The Assessment Amendment Act, 1929*, is repealed and the following substituted therefor:

Rev. Stat., c. 233, s. 12, (1929, c. 63, s. 2), repealed.

12. Where a person resident outside of Ontario invests money in Ontario or through an agent or trustee resident in Ontario, or creates a trust or agency fund in Ontario, or dies leaving an estate in Ontario, and income from such money, fund or estate is payable to any person resident out of Ontario, the income so payable shall not be assessed, and where such income is not distributable annually but accumulated by an executor, administrator, trustee or agent for the benefit of a person not resident in Ontario, the income so accumulated shall not be assessed.

Exemption of income payable to non-residents.

- 13.—(1) Where a person resident in Ontario creates a trust or agency fund or dies leaving an estate, and income from such fund or estate is payable to a person resident outside of Ontario, the income payable to such non-resident shall be assessed in the hands of the executors, administrators, trustees or agents of such estate or fund, who may pay the amount of taxes out of the income in their hands.

Assessment of income from estates or trust funds.

- (2) Subject to section 12 income received by an executor, administrator, trustee or agent, which income is not distributable annually but is accumulated, shall be liable to assessment from year to year, but shall not be liable to be again assessed when the accumulated fund is distributed.

Where income not distributed annually.

- (3) Income received by a deceased person in his lifetime shall be liable to assessment and taxation subject to

Income received by a deceased person prior to his death.

the

the exemptions to which the deceased person, if living, would have been entitled, and the executor, administrator or trustee of his estate shall be assessed in respect to such income, but only in his representative capacity and any income assessed under this subsection shall not be again assessed when the same has been distributed and received by the beneficiaries of the estate of the deceased person.

When  
executor,  
etc., per-  
sonally  
liable.

- (4) Any executor, administrator, trustee or agent failing to pay the income tax levied upon any assessment made under this section out of the fund or estate shall be personally liable therefor.

Muni-  
cipality  
entitled to  
assess.

- (5) The municipality entitled to assess shall be the municipality in which the testator resided at the time of his death, or in which the settlor or principal resided at the date of the creation of the trust or agency fund, or, if the testator, settlor or principal did not reside in Ontario, at such time or date, the municipality where the trustee or agent resides, or if there be more than one, where the chief business of the trust or agency fund is carried on.

Place of  
assessment.

- (6) Where the person in receipt of income assessable under this section resides or carries on business within the municipality entitled to assess, the assessment shall be made either at his place of business or residence; and where such person does not reside or carry on business in the municipality entitled to assess, the assessment shall be made at the office of the clerk of such municipality.

Rev. Stat.,  
c. 238, s. 21,  
amended.

- (2) Section 21 of *The Assessment Act* is amended by adding thereto the following subsection:

Return by  
executor,  
etc., as to  
income of  
testator.

- (2) Every executor, administrator or trustee of the estate of a person who died during the year ending on December 31st then last past or before the assessment roll is returned in the then current year without having completed and filed a return as provided in section 18 shall, when requested so to do by the assessor or assessment commissioner complete and file with the assessor of the municipality wherein such person was resident at the time of his death such a return, stating the income received by such deceased person during the year ending on December 31st then last past.

Rev. Stat.,  
c. 238, s. 57,  
subs. 2,  
amended.

- (3) Subsection 2 of section 57 of *The Assessment Act* is amended by striking out the words "year in which an assess-

ment

ment has been made and taxes levied on this assessment in the same year or, if at any time during the year in which an assessment has been adopted under the provisions of sections 59 or 60," in the first to fifth lines, and inserting in lieu thereof the words "year in which the taxes are levied."

(4) Subsection 1 of section 59 of *The Assessment Act* is amended by striking out the words "and concluded may be adopted by the council of the following year as," in the thirteenth and fourteenth lines, and inserting in lieu thereof the words "shall be."

Rev. Stat.,  
c. 238, s. 59,  
subs. 1,  
amended.

(5) Subsection 2 of section 59 of *The Assessment Act* is amended by striking out all the words after the word "December," in the third line and inserting in lieu thereof the words "the assessment when finally revised shall nevertheless be the assessment on which the rate of taxation for such following year shall be levied."

Rev. Stat.,  
c. 238, s. 59,  
subs. 2,  
amended.

(6) Subsections 5 and 6 of section 60 of *The Assessment Act* are repealed and the following substituted therefor:

Rev. Stat.,  
c. 238, s. 60,  
subs. 5, 6,  
repealed.

(5) The assessment so made whether or not it is completed by the 20th day of October, shall, upon its final revision be the assessment upon which the taxes for the following year shall be levied.

Assessment  
so made shall  
be assess-  
ment for  
following  
year.

(7) Subsection 3 of section 98 of *The Assessment Act* is repealed and the following substituted therefor:

Rev. Stat.,  
c. 238, s. 98,  
subs. 3,  
repealed.

(3) Notwithstanding any provision of *The Municipal Act* and subject to the provisions of section 121 every person assessed in respect of business or income upon any assessment roll which has been revised by the court of revision or county judge shall be liable for any rates which may be levied upon such assessment roll notwithstanding the death or removal from the municipality of the person assessed and notwithstanding that such rates are not levied until the year following that in which the assessment roll was revised.

Liability for  
taxes on in-  
come and  
business in  
case of death  
or change of  
residence.

(8) Subsection 2 of section 121 of *The Assessment Act* is amended by striking out the words "and adopted by the council of the following year as the assessment for such following year," in the second, third and fourth lines, and inserting in lieu thereof the words "for the following year."

Rev. Stat.,  
c. 238, s. 121,  
subs. 2,  
amended.

(9) This section shall be read and construed as having effect on and from the 1st day of January, 1930, except as to any action or litigation now pending.

Commence-  
ment of  
Act.

Rev. Stat.,  
c. 238,  
amended.

4. *The Assessment Act* is amended by adding the following as section 15a:

*Easements and Land Used as Lanes.*

Assessment  
of  
easements.

15a.—(1) Where an easement is appurtenant to any land it shall be assessed in connection with and as part of such land at the added value it gives to such land as the dominant tenement, and the assessment of the land which as the servient tenement, is subject to the easement shall be reduced accordingly.

Lanes used  
as right-of-  
way.

(2) Where land is laid out and used as a lane and is subject to such rights-of-way as prevent any beneficial use of it by the owner it shall not be assessed separately, but its value shall be apportioned among the various parcels to which the right-of-way is appurtenant and shall be included in the assessment of such parcels. In such cases the assessor shall return the land so used as "Lane not assessed."

Sale for  
taxes of  
dominant  
and servient  
tenement.

(3) Where a dominant tenement is sold for arrears of taxes the easements appurtenant thereto shall pass to the purchaser and where a servient tenement is sold for arrears of taxes the sale shall not affect any easement to which it is subject.

Restrictive  
covenant.

(4) A restrictive covenant running with the land shall be deemed to be an easement within the meaning of this section.

Rev. Stat.,  
c. 238, s. 143,  
subs. 1  
(1929, c. 63,  
s. 8),  
amended.

5. Subsection 1 of section 143 of *The Assessment Act* as enacted by section 8 of *The Assessment Amendment Act, 1929*, is amended by striking out the words "having a population of not less than 100,000" in the first and second lines.

Commence-  
ment of Act.

6. This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 47.

## An Act to amend The Highway Traffic Act.

*Assented to 3rd April, 1930.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Highway Traffic Amendment Act, 1930.* Short title.

**2.** Section 1 of *The Highway Traffic Act* is amended by adding thereto the following clause: Rev. Stat. c. 251, s. 1, amended.

(kk) "Registrar" shall mean the Registrar of Motor Vehicles appointed under this Act. Registrar.

**3.** *The Highway Traffic Act* is amended by adding thereto the following section: Rev. Stat. c. 251, amended.

1a.—(1) There shall continue to be a Registrar of Motor Vehicles who shall be appointed by the Lieutenant-Governor in Council. Registrar of Motor Vehicles.

(2) The Registrar shall act under the instructions of the Minister and shall have general supervision over all matters relating to highway traffic within Ontario, and shall perform such duties as are assigned to him by this Act, by the Lieutenant-Governor in Council, or by the Minister. Duties.

**4.**—(1) Section 45 of *The Highway Traffic Act* is amended by adding thereto the following subsection: Rev. Stat., c. 251, s. 45, amended.

(1a) No person shall drive, attempt or prepare to drive a motor vehicle when under the influence of drink or drugs so as to be incapable of having proper control of such vehicle. Incapable persons not to drive.

(2) Subsection 2 of the said section 45 is amended by inserting after the word "intoxicated" in the fourth line, the words "or of a violation of the provisions of subsection 1a" and by

striking

striking out all of the words after the word "period" in the sixth line and substituting therefor the following:

- (a) not exceeding six months for the first offence;
- (b) not less than three months and not exceeding one year for the second offence;
- (c) not less than one year and not exceeding two years for the third or any subsequent offence.

Rev. Stat.,  
c. 251,  
amended.

**5.** *The Highway Traffic Act* is amended by adding thereto the following section:—

Service of  
notice or  
process on  
non-resi-  
dents.

47a. The use of a highway within Ontario by any person not resident in Ontario operating or responsible for the operation of a motor vehicle within Ontario, shall, by virtue of the right of user conferred by this Act, be deemed to constitute the Registrar an agent of such person for the service of notice or process in any action in Ontario, arising out of a motor vehicle accident in Ontario in which such person is involved, subject to the following conditions:

How served.

- (a) Such notice of process may be served by leaving a copy thereof with, or at the office of, the Registrar at least ten days before the return day of such notice of process, together with the post office address of the non-resident upon whom service is to be made.

Address.

- (b) The last known address of such non-resident, according to the record of the Registrar of Motor Vehicles, or other official having similar duties in the Province or State in which such person resides, shall be conclusively deemed to be the correct address of such person, for the purpose of such service.

Duty of  
Registrar.

- (c) Upon receipt of such notice or process, and the address as aforesaid, the Registrar shall forward the said notice or process to such person at the given address by registered mail, postage prepaid.

**6.** *The Highway Traffic Act* is amended by adding thereto the following Parts:—

### PART XIII.

#### FINANCIAL RESPONSIBILITY OF OWNERS AND DRIVERS.

Definitions.

**70.** In this Part,—

"Authorized  
Insurer,"  
Rev. Stat.,  
c. 222.

- (a) "Authorized Insurer" means an insurer duly licensed under the provisions of *The Insurance Act*, to carry on in Ontario the business of automobile insurance;

(b)



- (b) "Driver's License" means an operator's license and a chauffeur's license issued pursuant to the provisions of this Act; "Driver's License."
- (c) "Motor Vehicle" includes "Trailer," as defined in this Act; "Motor Vehicle."
- (d) "Proof of Financial Responsibility" means a certificate of insurance, a bond, or a deposit of money or securities given or made pursuant to section 78; "Proof of Financial Responsibility."
- (e) "Treasurer" means the Treasurer of Ontario; "Treasurer."
- (f) "State" means one of the United States of America; "State."
- (g) "Superintendent of Insurance" means the Superintendent of Insurance appointed under the authority of *The Insurance Act*. "Superintendent of Insurance." Rev. Stat., c. 222.

71.—(1) Nothing in this Part shall prevent the plaintiff in any action from proceeding upon any other remedy or security available at law. General application.

(2) This Part shall only apply to offences and violations of law committed, and to convictions and judgments arising out of motor vehicle accidents occurring, and to motor vehicle liability policies issued or in force, after the date of coming into force of this Part.

72.—(1) The driver's license and owner's permit of every person who has been convicted of, or who has forfeited his bail after having been arrested for, any one of the following offences or violations of law, namely:

- (a) Any offence for which a penalty is provided in section 24 of this Act, if any injury to any person or property occurs in connection therewith; Reckless driving.
- (b) Any offence for which a penalty is provided in section 25 of this Act; Racing.
- (c) Exceeding the speed limit fixed by section 23 of this Act, if any injury to any person or property occurs in connection therewith; Speeding.
- (d) An accident having occurred, failing to remain at or return to the scene of the accident in violation of the provisions of section 40 of this Act; Leaving scene of accident.
- (e) Driving a motor vehicle on a highway without holding a driver's license required by this Act; Driving without a license.

Criminal  
offence.

(f) Any criminal offence involving the use of a motor vehicle;

Other  
offences.

(g) Any offence against public safety on highways as may be designated by the Lieutenant-Governor in Council,

shall be forthwith suspended by the Minister, and shall remain so suspended, and shall not, at any time thereafter, be renewed, nor shall any new driver's license, or owner's permit, be thereafter issued to such person until he shall have given to the Registrar proof of his financial responsibility.

Conviction  
in other  
provinces  
or states.

(2) Upon receipt by the Registrar of official notice that the holder of a driver's license, or owner's permit under this Act, has been convicted, or forfeited his bail, in any other province or state in respect of an offence, which, if committed in Ontario would have been, in substance and effect, an offence under, or a violation of the provisions of law mentioned in the next preceding subsection, the Minister shall suspend every driver's license and owner's permit or permits, of such person issued pursuant to this Act, until that person shall have given proof of financial responsibility in the same manner as if the said conviction had been made or the bail forfeited in Ontario.

Non-  
residents.

(3) If any person to whom subsection 1 applies, is not a resident of Ontario, the privilege of operating any motor vehicle within Ontario, and the privilege of operation within Ontario of any motor vehicle owned by him, is suspended and withdrawn forthwith, by virtue of such conviction or forfeiture of bail, until he has given proof of financial responsibility.

License sus-  
pended for  
failure  
to pay  
judgments.

73.—(1) Subject to the provisions of section 81, the driver's license and owner's permit or permits, of every person who fails to satisfy a judgment rendered against him, by any court in Ontario, or in any other province of Canada, which has become final by affirmation on appeal or by expiry without appeal, of the time allowed for appeal, for damages on account of injury to, or death, of any person, or on account of damage to property in excess of \$100, occasioned by a motor vehicle, within fifteen days from the date upon which such judgment became final, shall be forthwith suspended by the Minister, upon receiving a certificate of such final judgment from the court in which the same is rendered, and shall remain so suspended, and shall not at any time thereafter be renewed, nor shall any new driver's license or owner's permit be thereafter issued to such person until such judgment is satisfied or discharged (otherwise than by a discharge in bankruptcy)

to the extent of at least \$5,000 (exclusive of interest and costs) for injury to, or death of, any one person, and, subject to that limit for each person so injured or killed, to the extent of at least \$10,000 (exclusive of interest and costs), for injury to, or death, of two or more persons in any one accident, and to the extent of at least \$1,000 (exclusive of interest and costs), for damage to property of others resulting from any one accident, and until such person gives proof of his financial responsibility.

(2) If, after such proof of financial responsibility has been given, any other judgment against such person, for any accident which occurred before such proof was furnished, and after the coming into force of this Part, is reported to the Registrar, the driver's license and owner's permit or permits of such person shall again be, and remain, suspended until such judgment is satisfied and discharged (otherwise than by a discharge in bankruptcy) to the extent set out in the next preceding subsection. <sup>Subsequent judgments.</sup>

(3) If any person to whom subsection 1 applies is not resident in Ontario, the privilege of operating any motor vehicle in Ontario, and the privilege of operation in Ontario of any motor vehicle registered in his name, shall be, and is, suspended and withdrawn forthwith by virtue of such judgment until he has complied with the provisions of subsection 1. <sup>Non-residents.</sup>

74. The Minister may require proof of financial responsibility before issue of an owner's permit or driver's license, or the renewal thereof to any person under the age of twenty-five years or over the age of sixty-five years. <sup>Persons under and over certain ages.</sup>

75. The Minister may require proof of financial responsibility from any person who, while operating any motor vehicle, shall have been involved in, and, in the opinion of the Minister, is responsible in whole or in part, for any motor vehicle accident resulting in the death of, or injury to, any person, or damage to property in excess of \$100, or from the person in whose name such motor vehicle is registered, or from both, and the Minister may suspend all owner's permits and driver's licenses in such cases until such proof of financial responsibility has been given. <sup>Persons responsible for accidents.</sup>

76.—(1) An owner's permit and driver's license, or, in the case of a person not resident in Ontario, the privilege of operating any motor vehicle in Ontario, and the privilege of operation within Ontario of any motor vehicle owned by such non-resident, shall not be suspended or withdrawn <sup>Voluntary filing of financial responsibility.</sup>

under the provisions of this Part, if such owner, driver, or non-resident has voluntarily filed or deposited with the Registrar, prior to the offence or accident, out of which any conviction, judgment, or order arises, proof of financial responsibility, which, at the date of such conviction, judgment, or order, is valid and sufficient for the requirements of this Part.

Registrar  
may receive  
proof.

(2) The Registrar shall receive and record proof of financial responsibility voluntarily offered, and if any conviction or judgment against such person is thereafter notified to the Registrar which, in the absence of such proof of financial responsibility would have caused the suspension of the driver's license or owner's permit under this Part, the Registrar shall forthwith notify the insurer or surety of such person of the conviction or judgment so reported.

Amounts  
and limits.

77. Proof of financial responsibility shall be given in the following amounts by every driver, and, in the case of an owner, in the said amounts for each motor vehicle registered in his name, by every owner, to whom this Part applies, namely:—

- (a) At least \$5,000 (exclusive of interest and costs) for injury to, or death of, any one person, and, subject to that limit for each person so injured or killed, at least \$10,000 (exclusive of interest and costs) for injury to, or death of, two or more persons in any one accident; and
- (b) At least \$1,000 (exclusive of interest and costs) for damage to property of others resulting from any one accident.

Proof of  
financial re-  
sponsibility.

78.—(1) Proof of financial responsibility may be given in any one of the following forms:

Certificates  
of insurance.

- (a) The written certificate or certificates, filed with the Registrar, of any authorized insurer that it has issued, to or for the benefit of the person named therein, a motor vehicle liability policy or policies, in form hereinafter prescribed, which, at the date of the certificate or certificates, is in full force and effect, and which designates therein, by explicit description, or by other adequate reference, all motor vehicles to which the policy applies.

Any such certificate or certificates shall cover all motor vehicles then registered in the name of the person furnishing such proof. An additional cer-

tificate

tificate shall be required as a condition precedent to the registration of any additional motor vehicle in the name of such person. The said certificate, or certificates, shall certify that the motor vehicle liability policy or policies therein mentioned shall not be cancelled or expire, except upon ten days prior written notice thereof to the Registrar, and until such notice is duly given the said certificate or certificates shall be valid, and sufficient to cover the term of any renewal of such motor vehicle liability policy by the insurer, or any renewal or extension of the term of such driver's license or owner's permit by the Minister;

- (b) The bond of a guarantee insurance or surety <sup>Surety bond</sup> company, duly licensed in Ontario, pursuant to *The Insurance Act*, or a bond with personal sureties, approved as adequate security hereunder, upon application to a judge of the county or district court of the county or district in which such sureties reside.

The said bond shall be in form approved by the Registrar and shall be conditioned upon the payment of the amounts specified in this Part, and shall not be cancelled or expire except after ten days' written notice to the Registrar, but not after the happening of the injury or damage secured by the bond as to such accident, injury, or damage, and the said bond shall be filed with the Registrar;

- (c) The certificate of the Treasurer that the person <sup>Money or securities.</sup> named therein has deposited with him a sum of money or securities for money approved by him in the amount or value of \$11,000 for each motor vehicle registered in the name of such person. The Treasurer shall accept any such deposits and issue a certificate therefor, if such deposit is accompanied by evidence that there are no unsatisfied executions against the depositor registered in the office of the sheriff for the city, county, or district in which the depositor resides.

- (2) The Minister may, in his discretion, at any time, <sup>Minister may require additional proof.</sup> require additional proof of financial responsibility, to that filed or deposited by any driver or owner pursuant to this Part, and may suspend the driver's license and owner's permit or permits pending such additional proof.

- (3) Where a person, who is not a resident of Ontario, is <sup>Proof of financial responsibility by non-residents.</sup> required to give, or volunteers, proof of financial responsibility

bility under this Part, the Registrar may accept as such proof such certificate of an authorized insurer relating to a motor vehicle liability policy issued outside of Ontario, insuring such person against loss from the liability imposed by law, arising out of motor vehicle accidents occurring within Ontario, as he may deem proper; and may issue to such person an official non-resident insurance identification card; and may provide for the giving or volunteering of such proof to, and the issue of such cards by, his representatives at selected points along the provincial border.

Application  
of security.

79.—(1) The bond filed with the Registrar and the money or securities deposited with the Treasurer shall be held by him in accordance with the provisions of this Part, as security for any judgment against the owner or driver filing the bond or making the deposit, in any action arising out of damage caused after such filing or deposit, by the operation of any motor vehicle.

Not avail-  
able to  
creditors  
generally.

(2) Money and securities so deposited with the Treasurer shall not be subject to any claim or demand, except an execution on a judgment for damages, for personal injuries, or death, or injury to property, occurring after such deposit, as a result of the operation of a motor vehicle.

Action on  
security.

(3) If a judgment to which this Part applies is rendered against the principal named in the bond filed with the Registrar, and such judgment is not satisfied within fifteen days after it has been rendered, the judgment creditor may, for his own use and benefit, and at his sole expense, bring an action on said bond in the name of the Treasurer, against the persons executing such bond.

Chauffeurs  
or members  
of owner's  
family.

80. If the Registrar finds that any driver to whom this Part applies, was, at the time of the offence for which he was convicted, employed by the owner of the motor vehicle involved therein as chauffeur, or motor vehicle operator, whether or not so designated, or was a member of the family or household of the owner, and that there was no motor vehicle registered in Ontario in the name of such driver as an owner, either at the time of the offence or subsequent thereto, then, if the owner of such motor vehicle submits to the Registrar (who is hereby authorized to accept it) proof of his financial responsibility, as provided by this Part, such chauffeur, operator, or other person, shall be relieved of the requirement of giving proof of financial responsibility on his own behalf.

Payment of  
judgment in  
instalments.

81. A judgment debtor to whom this Part applies may, on due notice to the judgment creditor, apply to the Court in which the trial judgment was obtained, for the privilege of

paying



paying such judgment in instalments, and the Court may, in its discretion, so order, fixing the amounts and times of payment of such instalments. While the judgment debtor is not in default in payment of such instalments, he shall be deemed not in default for the purposes of this Part in payment of the judgment, and upon proof of financial responsibility for future accidents pursuant to this Part, the Minister may restore the driver's license, and owner's permits, of such judgment debtor, but such driver's license and owner's permits shall again be suspended and remain suspended, as provided in section 73, if the Registrar is satisfied of default made by the judgment debtor, in compliance with the terms of the court order.

82.—(1) It shall be the duty of the clerk or registrar of the court (or of the court where there is no clerk or registrar) in which any final order, judgment, or conviction to which this Part applies, is rendered, to forward to the Registrar of Motor Vehicles, immediately after the date upon which the order, judgment, or conviction becomes final by affirmation upon appeal or by expiry, without appeal, of the time allowed for appeal, a certified copy of such order, judgment, or conviction, or a certificate thereof, in form prescribed by the Registrar of Motor Vehicles. Any such copy or certificate shall be *prima facie* evidence of such order, judgment, or conviction. The clerk, or other official charged with this duty of reporting to the Registrar of Motor Vehicles, shall be entitled to collect and receive a fee of \$1 for each copy or certificate hereby required, which fee shall be paid as part of the court costs, in case of a conviction, by the person convicted, and, in case of an order or judgment, by the person for whose benefit judgment is issued.

Report of  
convictions,  
etc., to  
Registrar.

(2) If the defendant is not resident in Ontario it shall be the duty of the Registrar of Motor Vehicles, to transmit to the registrar of motor vehicles, or other officer or officers, if any, in charge of the registration of motor vehicles, and the licensing of operators in the province or state in which the defendant resides, a certificate of the said order, judgment, or conviction.

Notification  
in case of  
non-resi-  
dents.

83.—(1) The Registrar shall, upon request, furnish to any insurer, surety or other person, a certified abstract of the operating record of any person, subject to the provisions of this Part, which abstract shall fully designate the motor vehicles, if any, registered in the name of such person, and the record of any conviction of such person for a violation of any provision of any Statute relating to the operation of motor vehicles, or any judgment against such person for any injury or damage caused by such person, according to the records of the Registrar, and if there is no record of any such con-

Abstract of  
operating  
record.

viction

viction or judgment in the office of the Registrar, the Registrar shall so certify. The Registrar shall collect as a fee for each such certificate, the sum of \$1.

Particulars of security to be furnished.

(2) The Registrar, upon written request, shall furnish any person who may have been injured in person or property by any motor vehicle, with all information of record in his office pertaining to the proof of financial responsibility of any owner or driver of any motor vehicle furnished pursuant to this Part.

Return of permit and plates when license suspended.

84.—(1) Any owner or driver whose permit or license has been suspended, as herein provided, or whose policy of insurance or surety bond, has been cancelled or terminated as herein provided, or who neglects to furnish additional proof of financial responsibility upon the request of the Registrar, as herein provided, shall immediately return to the Registrar his driver's license, his motor vehicle permit or permits, and all license plates issued thereunder.

Police officer may secure possession.

(2) If any such person fails to return his license, permits and plates as provided herein, the Registrar may direct any police officer to secure possession thereof and return the same to the office of the Registrar.

Penalty.

(3) Any person failing to return his license, permits and plates when so required, or refusing to deliver the same when requested to do so by the police officer, shall be guilty of an offence and incur a penalty of not less than \$10, and not more than \$100 for each offence.

Transfer of suspended permit.

85. If an owner's permit has been suspended under the provisions of this Part, such permit shall not be transferred nor the motor vehicle in respect of which such permit was issued, registered in any other name until the Minister is satisfied that such transfer or registration is proposed in good faith and not for the purpose, or with the effect, of defeating the purposes of this Part.

Cancellation and return of security.

86.—(1) The Minister may cancel any bond or return any certificate of insurance, or the Treasurer may, at the request of the Minister, return any money or securities deposited pursuant to this Part, as proof of financial responsibility, at any time after three years from the date of the original deposit thereof, provided that the owner or driver on whose behalf such proof was given has not, during the said period, or any three year period immediately preceding the request, been convicted of any offence mentioned in section 72, and provided that no action for damages is pending and no judgment is outstanding and unsatisfied in respect of personal injury or damage to property in excess of \$100, resulting from the

operation



operation of a motor vehicle. A statutory declaration of the applicant under this section shall be sufficient evidence of the facts in the absence of evidence to the contrary in the records of the Registrar.

(2) The Minister may direct the return of any bond, <sup>Substitution of security</sup> money, or securities, to the person who furnished the same, upon the acceptance and substitution of other adequate proof of financial responsibility, pursuant to this Part.

(3) The Minister may direct the return of any bond, <sup>Return of security when motor vehicle is sold.</sup> money, or securities deposited under this Part to the person who furnished the same at any time after three years from the date of the expiration or surrender of the last owner's permit or driver's license issued to such person, if no written notice has been received by the Registrar within such period of any action brought against such person in respect of the ownership, maintenance, or operation of a motor vehicle, and upon the filing by such person with the Registrar, of a statutory declaration that such person no longer resides in Ontario, or that such person had made a *bona fide* sale of any and all motor vehicles owned by him, naming the purchaser thereof, and that he does not intend to own or operate any motor vehicle in Ontario within a period of one or more years.

87.—(1) Every motor vehicle liability policy shall insure:— <sup>Coverage of motor vehicle liability policy.</sup>

- (a) The persons named therein and any other person or persons using, or responsible for the use of, any such motor vehicle with the consent of such insured, against loss from the liability imposed by law (except liability imposed under any Workmen's Compensation Law) upon such insured, or upon such other person or persons for injury to, or death of, any person except such insured, or for damage to property (except property of the insured or property of others in charge of the insured or the insured's employees), arising from the ownership, maintenance, use, or operation of any such motor vehicle within Canada or the United States of America; or,
- (b) The person therein named as insured against loss <sup>Driver's policy</sup> from the liability imposed by law (except liability imposed under any Workmen's Compensation Law), upon such insured for injury to, or death of, any person or for damage to property (except property of others in charge of the insured or the

insured's employees) arising from the operation or use by such insured of any motor vehicle (except a motor vehicle registered in the name of such insured) and occurring while such insured is personally in control as driver or occupant of such motor vehicle within Canada or the United States of America;

**Limits.**

in either case, to the amount or limit of at least \$5,000 (exclusive of interest and costs), for injury to, or death of, any one person, and, subject to that limit for each person so injured or killed, of at least \$10,000 (exclusive of interest and costs) for injury to, or death of, two or more persons in any one accident, and, of at least \$1,000 (exclusive of interest and costs), for damage to property of others, as herein provided, resulting from any one accident.

**Excess coverage.**

(2) Neither the form of certificate of insurance, nor anything herein contained, shall prevent the issue of a policy granting any lawful insurance in excess of, or in addition to, the coverage herein provided for, nor the embodying in such policy any agreements, provisions, or stipulations not contrary to law.

**Policy form to be approved.**

(3) No motor vehicle liability policy shall be issued or delivered in Ontario until a copy of the form of policy has been on file with the Superintendent of Insurance for at least thirty days, unless sooner approved in writing by him, nor if within said period of thirty days he shall have notified the insurer in writing that, in his opinion, specifying the reasons therefor, the form of policy does not comply with the law of Ontario.

**Provisions to which policy subject.**

(4) Every motor vehicle liability policy shall be subject to the following provisions, whether or not such provisions are contained therein, and notwithstanding any law or statute or provision of such policy to the contrary:

**Rights of third parties against insurer.**

(a) A judgment creditor or judgment creditors with unsatisfied judgments arising out of, or based upon a claim or claims against the insured, for which indemnity is provided by a motor vehicle liability policy, shall be entitled to have the insurance moneys payable under such policy applied in or towards satisfaction of such judgment or judgments, and may, on behalf of themselves and all other persons having similar judgments or claims against the insured, maintain an action against the insurer

to have such insurance moneys so applied; provided that, if the insured is entitled to indemnity under any other motor vehicle liability policy in respect of such judgments or claims, the insurer may require such other insurer or insurers to be made parties to any such action and to contribute rateably according to their respective liabilities; and no creditor of such judgment debtor shall be entitled to share in the proceeds of any such policy or policies in respect of any claim for which indemnity is not provided by such policy.

- (b) If any motor vehicle liability policy would, but for <sup>Liability of insurer absolute.</sup> some misrepresentation or breach of any term, provision, or condition by the insured, be in force at the time of an accident, giving rise to a claim under the policy, no misrepresentation by the insured upon the application for such policy, and no breach of any term, provision, or condition of the policy by the insured, before or after the happening of such accident, shall invalidate the policy insofar as any person injured or suffering damage in such accident is concerned, nor relieve the insurer from liability to a judgment creditor of the insured for any loss or damage covered by such policy; and any assignment, waiver, release or discharge of such policy, or the proceeds thereof, or of any interest therein, made by the insured after the happening of an accident giving rise to a claim under the policy, shall be void; provided that, nothing herein shall render void any provision of the policy requiring the person insured to repay to the insurer any sums which the latter may have become liable to pay under the policy to other persons, in the event of misrepresentation by the insured upon the application for the policy, or breach by the insured of any term, provision, or condition of the policy; and further provided that, if the policy shall provide for limits of liability in excess of the limits required for proof of financial responsibility under this Act, the insurer may, as against any claimant, avail himself, with respect to the amounts of such excess limits of liability, of any defence which the insurer is entitled to set up against the insured.
- (c) It shall be lawful for an insurer to contract to indemnify the owner or driver of any motor vehicle against all loss or damage which the insured shall become legally liable to pay for bodily injury (including death resulting therefrom) or for injury to, or destruction of, the property of any person (including <sup>Conviction for offence not to prejudice civil action.</sup> damage

damage arising from the loss of use of such property), caused by the ownership, maintenance, or use of the motor vehicle, notwithstanding any violation by such owner or driver of any provision of this Act, or of any Act of this Legislature, or of any municipal by-law, and notwithstanding any criminal offence committed by such owner or driver upon the occasion of such injury or damage; and in any action to recover compensation or indemnity for damages occasioned by a motor vehicle, a conviction of the owner or driver of such motor vehicle for violation of any provision of this Act or of any Act of this Legislature, or of any municipal by-law, or for any criminal offence, shall not prejudice the right of such owner or driver or of any person claiming under this Act to recover from an insurer compensation or indemnity for any such damages insured by the policy.

Pro-rating of insurance.

(d) Any such policy may provide for the pro-rating of the insurance thereunder with other applicable, valid, and collectible insurance.

Insurer to furnish certificate.

(5) Any insurer which has issued a motor vehicle liability policy shall, as and when the insured may request, deliver to him for filing, or file direct with the Registrar, a certificate for the purposes of this Part.

Notice to Registrar of cancellation and expiry.

(6) Every insurer shall notify the Registrar of the cancellation or expiry of any motor vehicle liability policy, for which a certificate has been issued to the Registrar under this Part, at least ten days before the effective date of such cancellation or expiry, and, in the absence of such notice of cancellation or expiry, such policy shall remain in full force and effect.

Binders and endorsements in lieu of policy.

(7) Any insurer may, pending the issue of a motor vehicle liability policy, issue for the purpose of this Part an interim agreement to be known as a "binder," or may, in lieu of a policy, issue an endorsement to an existing policy; and any such binder or endorsement shall be subject to the provisions of this section, and be deemed to provide indemnity or insurance in accordance therewith.

Notice to insurer as to action brought against insured.

(8) Every insured person against whom any action is commenced for damages occasioned by a motor vehicle shall, within ten days after service of any notice or process in such action, give notice thereof in writing to the insurer, and in case of failure to give such notice within the time hereby limited, such person shall be guilty of an offence and shall be liable to a penalty not exceeding \$100 and, in default of payment thereof, to imprisonment for not more than thirty days.

## PART XIV.

## ACCIDENT REPORTING, STATISTICS AND RATING.

88.—(1) Every person in charge of a motor vehicle who is directly or indirectly involved in an accident shall, if the accident results in personal injuries, or in damage to property apparently exceeding \$50, report such accident forthwith to the nearest provincial or municipal police officer, and furnish him with such information or written statement concerning the accident as may be required by the officer or by the Registrar.

Duty to  
report  
accident.

(2) Where such person is physically incapable of making a report, and there is another occupant of the motor vehicle, such occupant shall make the report.

Where per-  
son unable  
to report.

(3) A police officer receiving a report of an accident as required by this section, shall secure from the person making the report, or by other inquiries where necessary, such particulars of the accident, the persons involved, the extent of the personal injuries or property damage, if any, and such other information as may be necessary to complete a written report concerning the accident to the Registrar.

Duty of  
police  
officer,

(4) The Registrar may require any person involved in an accident, or having knowledge of an accident, the parties thereto, or any personal injuries or property damage resulting therefrom, to furnish, and any police officer to secure, such additional information and make such supplementary reports of the accident as he may deem necessary to complete his records, and to establish, as far as possible, the causes of the accident, the persons responsible, and the extent of the personal injuries and property damage, if any, resulting therefrom.

Registrar  
may require  
additional  
information.

(5) Any written reports or statements made or furnished under this section shall be without prejudice, shall be for the information of the Registrar, and shall not be open to public inspection; and the fact that such reports and statements have been so made or furnished shall be admissible in evidence solely to prove compliance with this section, and no such reports or statements, or any parts thereof or statement contained therein, shall be admissible in evidence for any other purpose in any trial, civil or criminal, arising out of a motor vehicle accident.

Reports and  
statements  
without  
prejudice.

(6) Any person who fails to report or furnish any information or written statement required by this section shall incur a penalty of not less than \$10, and not more than \$50, and

in

in addition the Minister may suspend the operator's or chauffeur's license and owner's permit or permits of any such persons.

Reports by  
Coroners.

89.—(1) Every coroner who investigates a fatal accident in which a motor vehicle is involved, shall secure such particulars of the accident, the persons involved, and other information as may be necessary to complete a written report to the Registrar on the forms prescribed for that purpose, and shall transmit such report forthwith to the Registrar.

Registrar  
may request  
information  
respecting  
accidents  
and traffic  
control.

(2) Every provincial or municipal official or employee, hospital, or charitable institution, insurer, or other person or organization shall furnish to the Registrar such reports and other information relating to motor vehicle accident statistics and traffic control generally, as may be required by the regulations.

Compensa-  
tion may be  
allowed.

(3) The Lieutenant-Governor in Council, by regulation, may allow any person or organization making reports or furnishing information under this Section, such compensation for so doing as may be deemed proper.

Duties of  
Registrar.

90. The Registrar shall:

To supply  
accident  
report  
forms.

(a) Prepare and supply to police officers and other persons and organizations, blank forms approved by the Minister for accident and other reports which shall call for such particulars concerning accidents, the person involved, and the extent of the personal injuries and property damage, if any, resulting therefrom, and such other information as may be required by the regulations;

To  
investigate  
accidents.

(b) Make such investigation of, and call for such written reports concerning, motor vehicle accidents, traffic conditions, and other matters, as he may deem necessary and proper, and for that purpose may require the assistance of any provincial or municipal police officer;

To keep  
records.

(c) Keep the following records:

Accidents.

(i) A record of all motor vehicle accidents in the Province, reported to him or concerning which he procures information;

Convictions.

(ii) A record of all convictions for offences under this Act or under the provisions of the *Criminal Code* of Canada, relating to driving on highways, reported to him pursuant to

section

section 58, and of such other convictions as he may deem proper;

- (iii) A record of all drivers' licenses and owners' permits issued, suspended, revoked, cancelled or revived, under this Act; Licenses and permits suspended or cancelled.
- (iv) A record of all unsatisfied judgments rendered against persons holding owners' permits or drivers' licenses under this Act, or non-residents reported to him pursuant to the provisions of this Act; Unsatisfied judgments.
- (v) A record of all persons required to show evidence of financial responsibility pursuant to the provisions of Part XIII of this Act. Persons required to prove financial responsibility.
- (vi) An operating record of every chauffeur and operator, which record shall show all reported convictions of such chauffeur or operator for a violation of any provision of any statute relating to the operation of motor vehicles, and all reported unsatisfied judgments against such person for any injury or damage caused by such person while operating a motor vehicle and all accidents in which the records of the Registrar indicate such chauffeur or operator has been involved, and such other information as the Registrar may deem proper; and Operating records of all drivers.
- (vii) Such other records as he may be directed to keep by the Minister; Other records.
- (d) Develop adequate uniform methods of accident and traffic statistics, and study accident causes and trends, traffic problems, and regulations; To collect and analyze accident and traffic statistics.
- (e) Prepare for the Minister an Annual Report showing the results of such reporting, collection, analysis, and study, and embodying his recommendations for the prevention of motor vehicle accidents and the solution of traffic problems; and such report shall be printed and published forthwith upon completion. To prepare annual report for Minister.

91.—(1) The Lieutenant-Governor in Council, upon report by the Minister that, in his opinion, the records of his Department are sufficient to warrant classification based thereon, may make regulations in accordance with which the Registrar shall classify persons who have been convicted for a violation of any statute relating to the operation of motor vehicles, or

who



who have been responsible for accidents or who have been required to prove their financial responsibility under this Act, or whose operating record has otherwise shown them to be extra-hazardous risks for the purposes of motor vehicle liability insurance, and as such, liable to demerit rating under this section.

How  
classified.

(2) When a person becomes liable to demerit rating he shall be classified by the Registrar in accordance with the regulations in any one of the three classes, to be known as Classes "A," "B," and "C," in accordance with the seriousness of his offence, or the character of his operating record.

50 per cent.,  
25 per cent.,  
10 per cent.,  
surcharge  
on insurance  
rate.

(3) Where a person has been classified in Class "A," he shall be charged and shall pay for motor vehicle liability insurance ten per cent. in excess of the standard premium rate, and when classified in Class "B," twenty-five per cent. in excess of the standard premium rate, and when classified in Class "C," fifty per cent. in excess of the standard premium rate.

Publication  
in Ontario  
Gazette.

(4) The names of persons who have been classified for demerit rating under this section shall be published by the Registrar within one week in the *Ontario Gazette*.

Insurer to  
certify rate  
charged any  
person and  
to furnish  
copy of any  
policy.

(5) Upon request of the Registrar, any authorized insurer shall certify to him the premium rate which has been charged any person for motor vehicle liability insurance and furnish him with a certified copy of any motor vehicle liability insurance policy issued to such person.

Penalty for  
charging  
improper  
rate.

(6) Any officer or employee or agent of an authorized insurer who charges a premium rate lower than the rate a person whose name has been published in the *Ontario Gazette*, is liable to pay upon being classified under this section, or who, wilfully, at any time, certifies that a premium rate has been charged such a person other than the rate actually charged, shall incur a penalty of not less than \$25, and not more than \$500.

Re-classifi-  
cation after  
twelve  
months into  
lower class.

(7) The Registrar shall, upon application after the expiration of twelve months, re-classify any person classified under this section, whose operating record during the intervening period has been satisfactory, in the next lower class for demerit rating, or, if such person is classified in Class "A," eliminate him from classification.

Re-classifi-  
cation into  
higher class.

(8) When any person classified under this section commits an additional offence, or otherwise so acts as to make him liable, if unclassified, to classification under this section, the

Registrar



Registrar shall re-classify him in a higher class for demerit rating in the same manner as though he had not previously been classified, or, if such person is already classified in Class "C," the Minister shall suspend his driver's license for a period of not less than twelve months.

(9) The expression "standard premium rate" used in this section means the rate which would be charged in the absence of demerit rating under this section according to the schedules of rates and rules filed by an authorized insurer with the Superintendent of Insurance pursuant to *The Insurance Act*. <sup>Meaning of "Standard Premium Rate."</sup> <sup>Rev. Stat., c. 222.</sup>

(10) Any person aggrieved by a decision of the Registrar under this Section, may appeal to the Minister and the decision of the Minister shall be final and binding and without appeal. <sup>Appeal.</sup>

7. This Act, except section 6, shall come into force on the day upon which it receives the Royal Assent, and section 6 shall come into force on the first day of September, 1930. <sup>Commencement of Act.</sup>

## CHAPTER 48.

## An Act to amend The Highway Traffic Act.

*Assented to 3rd April, 1930.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The Highway Traffic Amendment Act, 1930* (No. 2.)

Rev. Stat.,  
c. 251, s. 9,  
subs. 2a,  
(1928,  
c. 42, s. 2,  
subs. 1),  
repealed.

**2.**—(1) Subsection 2a of section 9 of *The Highway Traffic Act* as enacted by subsection 1 of section 2 of *The Highway Traffic Amendment Act, 1928*, is repealed and the following substituted therefor:

Clearance  
lamps re-  
quired on  
wide  
vehicles.

(2a) Whenever on a highway after dusk and before dawn every motor vehicle and every trailer having a width at any part in excess of eighty inches shall carry in addition to the lamps required by subsection 1 two clearance lamps, one of which shall be located at the front of the vehicle and shall display a green light, and the other of which shall be located at the rear of the vehicle and shall display a red light. The Department may by regulation permit a reflector, approved by the Department, to be displayed in lieu of a clearance lamp on the rear of a vehicle. Any lamp or reflector so used shall be clearly visible at a distance of at least 200 feet from the front or rear as the case may be, and shall be affixed within six inches of the extreme left side of the vehicle.

Rev. Stat.,  
c. 251, s. 9,  
subs. 5,  
repealed.

(2) Subsection 5 of section 9 of *The Highway Traffic Act* is repealed and the following substituted therefor:

Bicycles and  
tricycles.

(5) Whenever on a highway after dusk and before dawn, every bicycle or tricycle shall carry on the front thereof a white or amber lighted lamp, or reflector approved by the Department, and on the back thereof a red lighted lamp, or reflector approved by the Department, so placed as to be clearly visible to drivers of other vehicles.

(3) Clause *b* of subsection 18 of section 9 of *The Highway Traffic Act* is amended by striking out the words "of a design" in the second line thereof.

Rev. Stat.,  
c. 251, s. 9,  
subs. 18,  
cl. b,  
amended.

3. Clause *a* of subsection 1 of section 10 of *The Highway Traffic Act* is repealed.

Rev. Stat.,  
c. 251, s. 10,  
subs. 1, cl. a,  
repealed.

4. Subsection 1 of section 11 of *The Highway Traffic Act* is repealed and the following substituted therefor:

Rev. Stat.,  
c. 251, s. 11,  
subs. 1  
repealed.

(1) Every motor vehicle shall be equipped with,—

(a) A device for cleaning rain, snow and other moisture from the windshield so constructed as to be controlled or operated by the chauffeur or operator;

Windshield  
wiper.

(b) A mirror securely attached to and placed in such a position as to afford the chauffeur or operator a clearly reflected view of the roadway in the rear or of any vehicle approaching from the rear.

Mirror.

5. Section 24 of *The Highway Traffic Act* is amended by adding thereto the following clause:

Rev. Stat.,  
c. 251, s. 24  
amended.

(a) Driving a motor vehicle with persons or property in the front or driver's seat so placed as to interfere with the proper management or control of the vehicle by the driver shall be deemed to be negligent driving within the meaning of this section.

Persons or  
property in  
front seat.

6. Subsection 2 of section 31 of *The Highway Traffic Act* is repealed and the following substituted therefor:

Rev. Stat.,  
c. 251, s. 31,  
subs. 2,  
repealed.

(2) During the months of March and April commercial motor vehicles and trailers, other than public vehicles, operated over or upon any highway not within a city or separated town shall not be loaded in excess of the limits prescribed hereunder without obtaining a permit as provided by section 30:

Weight of  
load during  
March and  
April.

(a) A vehicle equipped wholly or in part with solid tires shall not be loaded in excess of one-half the carrying capacity as registered with the Department.

(b) A vehicle equipped wholly with pneumatic tires, having a carrying capacity registered with the Department of three tons and not more than six tons, shall not be loaded in excess of three tons.

(c)

- (c) A vehicle equipped wholly with pneumatic tires and having a registered carrying capacity in excess of six tons shall not be loaded in excess of one-half the capacity registered with the Department.

Rev. Stat.,  
c. 251, s. 34,  
subs. 1,  
(1928, c. 42,  
s. 5),  
repealed.

7.—(1) Subsection 1 of section 34 of *The Highway Traffic Act* as amended by section 5 of *The Highway Traffic Act, 1928* is repealed and the following substituted therefor:

Name, etc. of  
owner and  
"maximum  
load" to be  
displayed on  
vehicle.

- (1) Every commercial motor vehicle and every trailer drawn by it shall have attached to or painted on both sides of the body in a clearly visible position a sign showing the name and address of the owner and shall also have attached to both sides of the body a sign issued by the Department showing the gross weight allowed under the permit issued for the vehicle. Provided, however, that this section shall not apply to hearses, casket wagons, ambulances, police patrols, public vehicles and fire apparatus.

Rev. Stat.,  
c. 251, s. 34  
amended.

(2) Section 34 of *The Highway Traffic Act* is amended by adding thereto the following subsection:

Reflector.

- (1a) Every commercial motor vehicle and every trailer shall have securely attached to the back thereof within six inches of the left side of the body in such a position as to reflect the light from the headlights of a vehicle approaching from the rear a red reflector approved by the Department.

Rev. Stat.,  
c. 251, s. 35,  
subs. 1 and 2,  
repealed.

8.—(1) Subsections 1 and 2 of section 35 of *The Highway Traffic Act* are repealed and the following substituted therefor:

Right-of-  
way.

- (1) Where two persons in charge of vehicles or on horse-back approach a crossroad or intersection, or enter an intersection, at the same time, the person to the right hand of the other vehicle or horseman shall have the right-of-way.
- (a) The driver or operator of a vehicle within an intersection intending to turn to the left across the path of any vehicle approaching from the opposite direction may make such left turn only after affording a reasonable opportunity to the driver or operator of such other vehicle to avoid a collision.

Full stop at  
"through  
highway."

- (2) The operator or driver of every vehicle shall immediately before entering or crossing a through highway bring the vehicle to a full stop,—

(a)

(a) The driver or operator of any vehicle who has come to a full stop as required above, upon entering the through highway, as well as drivers or operators of vehicles on such through highway, shall be subject to the usual right-of-way rule prescribed in subsection 1 of this section and applicable to vehicles at intersections.

(b) "Through highway" shall mean any highway designated as such by the Minister or by by-law of a municipality approved by the Department, and every such highway shall be marked to comply with the regulations of the Department.

(2) Section 35 of *The Highway Traffic Act* is amended by adding thereto the following subsection: Rev. Stat.,  
c. 251, s. 35,  
amended.

(8a) No person riding on a bicycle designed for carrying Persons  
on bicycle. one person only shall carry any other person thereon.

9. Subsection 1 of section 38 of *The Highway Traffic Act* is amended by adding thereto the following clause: Rev. Stat.,  
c. 251, s. 38,  
subs. 1,  
amended.

(a) This subsection shall extend and apply to any animal which is led or driven on a highway by a person on foot and to such person on foot.

10. *The Highway Traffic Act* is amended by adding thereto the following section: Rev. Stat.,  
c. 251,  
amended.

41a. The owner of a motor vehicle shall be liable for loss or damage sustained by any person by reason of negligence in the operation of such motor vehicle on a highway unless such motor vehicle was without the owner's consent in the possession of some person other than the owner or his chauffeur, and the driver of a motor vehicle not being the owner shall be liable to the same extent as such owner. Liability  
for loss or  
damage.

11. Subsection 1 of section 53 of *The Highway Traffic Act* is amended by striking out the word "six" in the fourth line, and inserting in lieu thereof the word "twelve." Rev. Stat.,  
c. 251, s. 53,  
subs. 1,  
amended.

12. Subsection 4 of section 53 of *The Highway Traffic Act* is repealed. Rev. Stat.,  
c. 251, s. 53,  
subs. 4,  
repealed.

13. Section 54 of *The Highway Traffic Act* is repealed. Rev. Stat.,  
c. 251, s. 54,  
repealed.

Rev. Stat.,  
c. 251, s. 58,  
subs 3,  
repealed.

**14.** Subsection 3 of section 58 of *The Highway Traffic Act* is repealed and the following substituted therefor:

Evidence.

- (3) A copy of any writing, paper, or document filed in the Department pursuant to this Act purporting to be certified by the Deputy Minister or Registrar of Motor Vehicles under the seal of the Department as a true copy shall be received in evidence in all courts without proof of the seal or signature.

Rev. Stat.,  
c. 251, s. 61,  
amended.

**15.** Section 61 of *The Highway Traffic Act* is amended by adding after the word "chauffeur" in the second line the words "or operator."

Commence-  
ment of  
Act.

**16.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 49.

## An Act to amend The Public Commercial Vehicle Act.

*Assented to 3rd April, 1930.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Public Commercial Vehicle* Short title.  
*Amendment Act, 1930.*

2. Sections 1 and 2 of *The Public Commercial Vehicle Act* Rev. Stat.,  
c. 253, ss. 1  
and 2,  
repealed.  
are repealed and the following substituted therefor:

1. In this Act,—

Interpre-  
tation.

(a) "Public commercial vehicle" shall mean any "Public  
motor vehicle or trailer operated on a public commercial  
highway for hire, pay or gain by or on behalf vehicle."  
of any person for the transportation of goods,  
wares or merchandise, but shall not include  
motor vehicles or trailers operated solely  
within the corporate limits of one urban  
municipality.

2. No person shall operate a public commercial vehicle Licensing  
public  
commercial  
vehicle.  
unless licensed so to do by the Department of Public  
Highways.

## CHAPTER 50.

## An Act to amend The Travelling Shows Act.

*Assented to 3rd April, 1930.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

**1.** This Act may be cited as *The Travelling Shows Act, 1930.*

Rev. Stat.,  
c. 256, s. 2,  
subs. 1,  
amended.

**2.** Subsection 1 of section 2 of *The Travelling Shows Act* is amended by striking out all the words after the word "Treasurer" in the sixth line and inserting in lieu thereof the words "such sums as may be fixed by the Lieutenant-Governor in Council," so that the subsection will now read as follows:

License fee.

(1) Every applicant for a license shall make and file in the office of the Treasurer a statutory declaration setting forth the number of days upon which the show is to be exhibited in Ontario and the localities in which the performances or exhibitions are to be held, and for such license shall pay in advance to the Treasurer such sum as may be fixed by the Lieutenant-Governor in Council.

Commence-  
ment of  
Act.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent.



## CHAPTER 51.

## An Act to amend The Liquor Control Act.

*Assented to 3rd April, 1930.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Liquor Control Act, 1930*. Short title.

2. Section 33 of *The Liquor Control Act* is amended by inserting at the commencement of the said section the words "Except as provided by this Act and the regulations," so that the section will now read as follows: Rev. Stat.,  
c. 257, s. 33,  
amended.

33. Except as provided by this Act and the regulations, no liquor shall be sold to any purchaser except in a package sealed with the official seal as prescribed by this Act and such package shall not be opened on the premises of a Government store. Sealing  
package,  
etc.

3. Subsection 1 of section 42 of *The Liquor Control Act* is repealed and the following substituted therefor: Rev. Stat.,  
c. 257, s. 42,  
subs. 1,  
repealed.

(1) Liquor purchased by any person pursuant to a permit held by him, may be kept, had, given or consumed only in the residence in which he resides, except as otherwise provided by this Act and the regulations. Place where  
liquor may  
be kept by  
holder of  
permit.

4. Section 64 of *The Liquor Control Act* as amended by section 10 of *The Liquor Control Act, 1928*, is further amended by adding thereto the following subsection: Rev. Stat.,  
c. 257, s. 64,  
amended.

(8) Except as otherwise expressly provided in this Act, no person shall, within Ontario, have in his possession sell or keep for sale any compound, mixture or preparation whether in solid or liquid form to which the addition of water or any other liquid or any substance will produce intoxicating liquor. Sale of  
alcoholic  
compounds  
prohibited.

5. Subsection 2 of section 72 of *The Liquor Control Act* is repealed and the following substituted therefor: Rev. Stat.,  
c. 257, s. 72,  
subs. 2,  
repealed.

Possession.

- (2) Except as expressly provided by this Act and by the regulations, no person shall have or keep any liquor within Ontario which has not been purchased from a Government vendor or from a physician as provided by section 56.

Rev. Stat.,  
c. 257, s. 74,  
repealed.

**6.** Section 74 of *The Liquor Control Act* as amended by section 7 of *The Liquor Control Act, 1929*, is repealed and the following substituted therefor:

Sale by  
vendors and  
other  
officials.

- 74.—(1) No person authorized to sell liquor in accordance with the provisions of this Act, and no clerk, servant or agent of such person shall sell or furnish liquor in any other place or at any other time or otherwise than as authorized by this Act and the regulations.

Permit  
issuers.

- (2) No official or person authorized to issue permits under this Act shall issue more than one permit for the purchase of liquor under this Act to any one individual.

False and  
fictitious  
permits.

- (3) No person authorized to issue permits under the provisions of this Act shall issue any permit,—

(a) to any person who is disqualified under the provisions of this Act and the Regulations to make application for such permit;

(b) to any person furnishing any false or fictitious particulars in his application for such permit.

Furnishing  
liquor on  
illegal  
permit.

- (4) No person authorized to sell liquor in accordance with the provisions of this Act, and no clerk, servant or agent of such person shall sell or furnish liquor to any permit-holder whose permit has not been acquired in accordance with the provisions of this Act and the regulations.

Rev. Stat.,  
c. 257, s. 79,  
repealed.

**7.** Section 79 of *The Liquor Control Act* is repealed and the following substituted therefor:

Liquor  
which  
may be  
consumed.

79. Except in the case of wine used for sacramental purposes or in any religious ceremony and as provided by this Act and the regulations, no person shall consume liquor within Ontario unless the same has been acquired under the authority of a permit or prescription issued under this Act, or is had or kept with the permission of the Board, and unless the package in which the liquor is contained and from

which

which it is taken for consumption has, while containing that liquor, been sealed with the official seal prescribed under this Act and the regulations.

8. Subsection 1 of section 80 of *The Liquor Control Act* as amended by section 11 of *The Liquor Control Act, 1928*, is repealed and the following substituted therefor:

Rev. Stat.,  
c. 257, s. 80,  
subs. 1,  
repealed.

(1) Except in the case of,—

Liquor to  
be sealed.

(a) liquor imported by the Government, or by the Board; or

(b) sacramental or other wines used for religious purposes; or

(c) liquor had or kept under the provisions of section 61, no liquor shall be kept or had by any person in Ontario unless the package, not including a decanter or other receptacle containing the liquor for immediate consumption, in which the liquor is contained is, while containing that liquor, sealed with the official seal prescribed under this Act.

9. Section 88 of *The Liquor Control Act* as amended by section 8 of *The Liquor Control Act, 1929*, is further amended by adding thereto the following subsection:

Rev. Stat.,  
c. 257, s. 88,  
amended.

(4) Except as provided by this Act and the regulations, no person shall within Ontario have or keep in his possession, a false or fictitious permit purporting to authorize the purchase of liquor or beer or a permit of which he is not the holder.

Possession  
of false or  
fictitious  
permit.

10. Subsection 2 of section 90 of *The Liquor Control Act* is repealed and the following substituted therefor:

Rev. Stat.,  
c. 257, s. 90,  
subs. 2,  
amended.

(2) A holder of an individual permit may have in his possession or consume in his residence, only the liquor acquired by him under his individual permit or had or acquired by him otherwise under the provisions of this Act or the regulations.

Possession  
of liquor  
not acquired  
under  
permit.

11. Section 91 of *The Liquor Control Act* as amended by section 9 of *The Liquor Control Act, 1929*, is further amended by adding thereto the following subsection:

Rev. Stat.,  
c. 257, s. 91,  
amended.

(5) If the owner or proprietor of any hotel, or his clerk, servant or agent finds any individual permit on the hotel premises, or any part thereof, he shall deliver the same within twenty-four hours to the nearest vendor for transmission to the Board.

Duty of  
hotel  
proprietor.

12. Subsection 1 of section 94 of *The Liquor Control Act* is repealed and the following substituted therefor:

Rev. Stat.,  
c. 257, s. 94,  
subs. 1,  
amended.

Sale of  
native  
wine.

- (1) Subject to any regulations or restrictions which the Board may impose, manufacturers of native wines from grapes or cherries grown and produced in Ontario may sell, keep or offer for sale and deliver the same in such quantities as may be permitted by the Board for consumption in a private residence.

Rev. Stat.,  
c. 257, s. 101,  
subs. 2  
(1929, c. 69,  
s. 10),  
repealed.

**13.** Subsection 2 of section 101 of *The Liquor Control Act* as re-enacted by section 10 of *The Liquor Control Act, 1929*, is repealed and the following substituted therefor:

Penalty for  
offence as to  
permits.

- (2) Every person who knowingly violates any of the provisions of subsections 2, 3 and 4 of section 74 shall be imprisoned for not less than six months nor more than twelve months.

Rev. Stat.,  
c. 257, s. 103,  
subs. 3  
(1929, c. 69,  
s. 11),  
repealed.

**14.** Subsection 3 of section 103 of *The Liquor Control Act* as re-enacted by section 11 of *The Liquor Control Act, 1929*, is repealed and the following substituted therefor:

Penalties.

- (3) Everyone who violates any of the provisions of sections 34, 35, 42, 56, 58, 59, 60, subsection 2 of section 72 or sections 84, 88, 90, 91, 92 or subsection 4 of section 108 shall be liable, for a first offence, to a fine of not less than \$100 nor more than \$1,000, and in default of immediate payment shall be imprisoned for a period of three months and for a second or subsequent offence, to imprisonment for three months.

Rev. Stat.,  
c. 257, s. 107,  
amended.

**15.** Section 107 of *The Liquor Control Act* is amended by adding thereto the following subsection:

Inference  
from circum-  
stances in  
case of  
hotels or  
other  
premises.

- (2) Upon proof of the fact that an offence against any of the provisions of this Act has been committed upon or in respect of any premises, or any portion thereof, by any person claiming to be agent, tenant or lessee of the owner or proprietor of such premises, or any such portion thereof, the justice trying the case shall have the right to draw inferences of fact from the agreement or lease between such person and such owner or proprietor and from the number of offences which have been committed against this Act upon or in respect of such premises, or any such portion thereof, and from the circumstances under which liquor is kept or dealt with upon such premises, or any such portion thereof, and if the justice is of opinion that the owner or proprietor had knowledge of the use of such premises, or such part thereof, in the committing of offences against this Act he may impose upon such owner or proprietor a penalty of not less than \$1,000 nor more than \$2,000 and in default of immediate payment thereof such owner or proprietor shall be imprisoned for not less than three months nor more than six months.

**16.** Section 131 of *The Liquor Control Act* as amended by section 12 of *The Liquor Control Act, 1928*, is further amended by adding thereto the following subsection: Rev. Stat., c. 257, s. 131, amended.

- (3) In the prosecution of any person charged with an offence against this Act, the production of a certificate of cancellation of permit signed by any member of the Board, shall be *prima facie* evidence of the cancellation of the permit mentioned in such certificate. Certificate of cancellation of permit prima facie evidence.

**17.**—(1) Subsection 3 of section 138 of *The Liquor Control Act* is repealed and the following substituted therefor: Rev. Stat., c. 257, s. 138, subs. 3, repealed.

- (3) The term "judge" as used in this Act shall mean the judge, junior judge or acting judge of the county or district court of a county or district. "Judge," meaning of.

(2) Subsection 11 of the said section 138 is repealed and the following substituted therefor:

- (11) Within thirty days from the service of the notice of appeal the judge shall, on the application of any appellant, grant a summons calling upon all parties to attend before him at his chambers on the day and hour named therein, when the hearing of the appeal will be proceeded with, provided, however, that if no such application is made within the said thirty days, the judge, upon proof of the failure to make such application, shall order that the appeal be forthwith dismissed with costs. Summons to be issued by judge.

**18.**—(1) This Act, except sections 5, 7, 8 and 12 shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

(2) Sections 5, 7, 8 and 12 shall come into force on a day to be named by the Lieutenant-Governor by his Proclamation.

## CHAPTER 52.

## An Act to amend The Public Health Act.

*Assented to 3rd April, 1930.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.      **1.** This Act may be cited as *The Public Health Act, 1930.*

Rev. Stat.,  
c. 262, s. 12,  
amended.      **2.** Section 12 of *The Public Health Act* is amended by adding thereto the following subsection:

Appoint-  
ment of  
member of  
city council  
to local  
board.

(5) One or more members of the council may be appointed to be members of the local board.

Rev. Stat.,  
c. 262,  
amended.

**3.** *The Public Health Act* is amended by adding thereto the following section:

REGULATION AND LICENSING OF BARBER SHOPS AND  
HAIRDRESSING ESTABLISHMENTS.

Regulation  
of barber  
shops, etc.

**87a.**—(1) The council of any city, town or township bordering on a city having a population of not less than 100,000 may pass by-laws for regulating the operation of barber shops and hairdressing establishments, and for licensing the owners of such shops and hairdressing establishments, and for revoking the license upon breach of any regulation imposed by the by-law.

Exception  
from  
by-laws.

(2) This section shall not apply to any hairdressing establishment where less than three persons are employed.

Approval of  
by-law by  
Department.

(3) The said by-law shall not take effect until approved in writing by the Department, and when so approved shall be in force notwithstanding any provision of this Act or other regulation imposed under authority of this Act to the contrary.

Commence-  
ment of Act.

**4.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 53.

## An Act to improve the Quality of Dairy Products.

*Assented to 3rd April, 1930.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Dairy Products Act, 1930*. Short title.

2. In this Act,—

Interpreta-  
tion,

- (a) "Cheese factory" shall mean the place to which the milk from the herds of five or more persons is brought for the purpose of being manufactured into cheese for public sale; "Cheese factory."
- (b) "Creamery" shall mean the place to which milk or cream from the herds of five or more persons is brought for the purpose of being manufactured into butter or is made into butter for public sale; "Creamery."
- (c) "Inspector" shall mean inspector appointed under *The Milk, Cheese and Butter Act*, or this Act; "Inspector."
- (d) "Minister" shall mean Minister of Agriculture; "Minister."
- (e) "Patron" shall mean one who habitually sells milk or cream at a plant; "Patron."
- (f) "Plant" shall mean and include a cheese factory or butter manufactory, condensed milk factory, creamery, milk powder factory, milk or cream shipping or receiving stations and any other premises where milk and cream are received to be manufactured into cheese or butter or for sale or shipment or distribution for human consumption; "Plant."
- (g) "Regulations" shall mean regulations made under the authority of this Act. "Regulations."

Site or  
location  
for factory.

3.—(1) A building shall not be erected, rebuilt or reconstructed for use as a cheese factory or creamery on any site or location without the permission in writing of the Director of Dairying.

Specifica-  
tions for  
new  
factory.

(2) Such building, rebuilding or reconstructing shall be in accordance with the conditions following:

- (a) The foundation shall be substantially constructed of stone or concrete.
- (b) The floors shall be of concrete or suitable tile.
- (c) The outlets for waste water shall be properly trapped and the waste water from these outlets shall be conducted to septic tanks, cesspools or underground drains or sewers in such a manner that the surroundings of the factory shall be at all times clean and sanitary.
- (d) The inside of all walls and all partitions and ceilings shall be covered with lumber, plaster, cement or other material suitable for painting or tinting.
- (e) The ceilings of the work rooms shall be not less than ten feet from the surface of the floor.

Whey  
tanks.—  
installation  
of.

(3) The tanks for containing whey, buttermilk and skim-milk shall be installed in such a manner that they can be emptied readily and kept clean and sanitary.

Permission  
to operate  
new factory.

(4) A new or reconstructed cheese factory or creamery shall not be operated until permission therefor has been given in writing by the Minister.

Report of  
inspector  
before  
permission  
given.

(5) The permission for the erection, rebuilding or reconstructing of a cheese factory or creamery or for the commencement of operations therein shall not be granted until such factory has been inspected by an inspector and he has reported that such permission may properly be given.

Minister  
may order  
closing of  
unsanitary  
premises.

4.—(1) Upon the report of an inspector that any cheese factory or creamery is not in a satisfactory sanitary condition or lacks proper equipment for the manufacture or collection of dairy products, or that unsanitary conditions exist in or about the premises, the Minister may order the same to be closed forthwith and they shall be kept closed until the Minister certifies upon the report of the inspector that they have been put into a satisfactory sanitary condition and properly equipped for the manufacture or collection of dairy products.



**5.**—(1) All milk and cream received at a plant shall be paid for,—  
Basis of payment for milk and cream.

(a) on the basis of its fat content as determined by the Babcock test; or

(b) on the basis of its fat content as determined by the Babcock test plus the factor 2 in the case of milk received for cheesemaking only.

(2) In determining the fat content of milk supplied to a plant the measuring pipette shall have a capacity of 17.6 c.c. officially stamped.  
Measuring fat content of milk.

(3) In determining the fat content of cream supplied to a plant the sample of cream taken for testing shall be weighed into a test bottle officially stamped and shall weigh 9 or 18 grams.  
Measuring fat content of cream.

**6.** All cream used in the manufacture of butter shall be graded at a creamery and payment for the cream shall be based on such grades.  
Grading cream at a creamery.

**7.** For the purpose of determining standards of grades of cream for butter-making purposes at a creamery the basis of grading shall be:  
Basis of grading cream for butter.

(a) Special grade;

(b) First grade;

(c) Second grade;

(d) Off grade.

**8.** All cream received at a creamery shall be properly pasteurized before being used for butter-making purposes.  
Pasteurizing cream.

**9.** At every plant the selecting, grading, or rejecting of milk, the grading of cream, the weighing, sampling and testing of milk and cream, the manufacturing of cheese and butter shall be performed or supervised by the holder of a permit or certificate of qualification granted under the provisions of section 10.  
Certificate of qualification required.

**10.** Certificates of qualification shall be granted annually as follows:  
Graded certificates.

(a) First-class certificates to cheesemakers and to buttermakers;

(b)

- (b) Second-class certificates to cheesemakers and to buttermakers;
- (c) Permit certificates to cheesemakers and to buttermakers;
- (d) Certificates to milk and cream testers and to milk and cream graders.

Granting  
certificates.

**11.** Certificates shall be granted by the Minister on the recommendation of the Director of Dairying.

Cancelling  
or  
suspending  
certificates.

**12.** The Minister may on the recommendation of the Director of Dairying cancel or suspend any certificate on the ground that the holder is not complying with this Act and the regulations.

Reinstat-  
ment.

**13.** A person whose certificate has been cancelled or suspended may be reinstated by the Minister upon the recommendation of the Director of Dairying.

Pasteurizing  
whey.

**14.** When the whey at any plant is returned in the patrons' cans it shall be properly pasteurized and the whey tanks kept in a clean, sanitary condition.

Packages  
and  
brands.

**15.** The Minister may with the consent of the Lieutenant-Governor in Council make regulations fixing the size, shape and specifications of packages used in the shipment of butter and cheese, and defining and limiting any brand or lettering to be placed thereon.

Inspectors,  
powers.

**16.—(1)** The Minister may appoint inspectors to carry out the provisions of this Act and any inspector so appointed shall at all reasonable hours have free access and admission to all plants or other premises where milk or cream is collected for sale or shipment or manufacture or for distribution for human consumption, or to milk and cream in transit on wagons, trains or other conveyances at collecting stations, railroad stations, express offices, in storage or wherever found, and such inspector may take samples of such milk and cream in sufficient quantities to make the proper test.

Duties.

(2) It shall be the duty of the inspector and he shall have authority,

- (a) to weigh, test and take such quantities as may reasonably be required as samples of any lot of milk or cream or milk products for the purpose of testing the same;
- (b) to examine and test samples of milk or cream kept for re-test at a plant;
- (c)

- (c) to examine the records of receipts of milk and cream, of all Babcock tests made at a plant and of the disposition thereof, and of the weight of all butter and other dairy products manufactured daily.

(3) Any inspector shall have access to all plant reports <sup>Access to reports.</sup> necessary in the performance of his duty.

(3) Any person obstructing any inspector in the performance <sup>Obstructing, penalty.</sup> of his duty shall be liable to a penalty of not less than \$25 nor more than \$100.

**17.** For the purpose of carrying into effect the provisions <sup>Regulations.</sup> of this Act, according to their true intent, the Lieutenant-Governor in Council on the recommendation of the Minister may make such regulations as may be deemed necessary, advisable or convenient for carrying out the provisions of this Act.

**18.** Every person who violates any of the provisions of <sup>Penalty.</sup> this Act, or any regulation made thereunder, or who falsifies any records, or over-reads or under-reads the Babcock test or who in any way makes incorrect determinations of fat, or who pays for milk or cream used in the manufacture of butter or cheese or for distribution for human consumption, on any basis other than those stated in this Act and the regulations, shall be liable to a penalty of not less than \$50 nor more than \$200.

**19.** The penalties imposed by or under the authority of <sup>Application of</sup> this Act shall be recoverable under *The Summary Convictions* <sup>Rev Stat., c. 141.</sup> *Act.*

**20.** *The Dairy Products Act*, being chapter 267 of the <sup>Rev. Stat., c. 267, repealed.</sup> Revised Statutes of 1927, is repealed.

**21.** This Act shall come into force on the day upon which <sup>Commence-ment of Act.</sup> it receives the Royal Assent.

## CHAPTER 54.

## An Act to amend The Children's Protection Act.

*Assented to 3rd April, 1930.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The Children's Protection Act, 1930.*

Rev. Stat.  
c. 279, s. 4,  
amended.

**2.** Section 4 of *The Children's Protection Act* is amended by adding thereto the following subsections:

Provision  
for joint  
erection  
shelters.

(5) The corporation of a county and any cities and separated towns in the county or any two or more of them may, with the approval of the Minister, enter into an agreement to acquire a site for and erect and maintain thereon one or more joint temporary homes or shelters, and in such case it shall not be necessary for a county or a city to comply with the provisions of subsection 1.

Borrowing  
on debentures to pay  
cost or  
share of  
cost of  
building.

(6) The council of a county or a city for the purpose of subsection 1, and the council of a county, a city or separated town for the purposes of subsection 5, may, without the assent of the electors, borrow money by the issue of debentures payable within a period of fifteen years from the issue thereof, to meet the cost of, or its share of the cost of providing or acquiring a site for and erecting such temporary homes or shelters.

Rev. Stat.,  
c. 279, s. 7,  
subs. 4  
(1928,  
c. 46, s. 3),  
amended.

**3.** Subsection 14 of section 7 of *The Children's Protection Act* as enacted by subsection 3 of section 3 of *The Children's Protection Act, 1928*, is amended by inserting the words "two days" before the word "notice" in the fourth line.

## CHAPTER 55.

## An Act to amend The Mothers' Allowances Act.

*Assented to 3rd April, 1930.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Mothers' Allowances Act*, Short title.  
1930.
2. *The Mothers' Allowances Act* is amended by adding Rev. Stat.,  
c. 280,  
amended. thereto the following sections:
  - 8a. The secretary of every local mothers' allowances board shall for the purpose of the administration Secretary,  
may admin-  
ister oath. of this Act have power to take declarations and affidavits and to receive evidence under oath in the same manner and to the same extent as a commissioner for taking affidavits.
  - 8b. For the purposes of this Act the territory known Burlington  
Beach Com-  
mission. as "Burlington Beach" shall be a separate municipality and the Burlington Beach Commission shall have the powers and perform the duties conferred and imposed upon the local board by or under the authority of this Act.
3. *The Mothers' Allowances Act* is further amended by Rev. Stat.,  
c. 280,  
amended. adding thereto the following section:
  10. To remove doubts it is declared that a member of Validity  
of appoint-  
ments. the council of any municipality may be appointed a member of the local board and that any such appointment heretofore or hereafter made shall not disqualify him from being a member of the council.
4. This Act shall come into force on the day upon which Commence-  
ment of  
Act. it receives the Royal Assent.

## CHAPTER 56.

## An Act to amend The Old Age Pensions Act, 1929.

*Assented to 3rd April, 1930.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

**1.** This Act may be cited as *The Old Age Pensions Act, 1930*.

1929, c. 73,  
s. 2, cl. b,  
amended.

**2.** The clause lettered *b* in section 2 of *The Old Age Pensions Act, 1929*, is amended by striking out the words "or commission" in the third line, so that the clause will now read as follows:

"Local  
authority."

(b) "Local authority" shall mean and include the council of a county, city or town separated from the county for municipal purposes, or a board appointed for the purposes of this Act by the council of such county, city or separated town, and in provisional judicial districts a board or commission appointed by the Lieutenant-Governor in Council for any defined territory for the purposes of this Act.

1929, c. 73,  
amended.

**3.** *The Old Age Pensions Act, 1929*, is amended by adding thereto the following sections:

Local  
board.

**4a.**—(1) A board to be known as "The Local Old Age Pensions Board of (insert name of municipality)" may for the purposes of this Act be appointed by the council of a county or city or of a town separated from the county for municipal purposes, and shall be constituted as provided by the regulations.

Member of  
council  
may be  
appointed.

(2) A member of the council may be appointed as a member of the board and shall be entitled to the same remuneration for his services as he would receive when acting as a member of a committee of the council.

Validity  
of former  
appoint-  
ments.

(3) To remove doubts it is declared that any member of a council heretofore or hereafter appointed to such

board

board is not disqualified from being a member of the council by reason of such appointment and his appointment to such board is hereby confirmed.

- 4b. The secretary of every local old age pensions board shall for the purpose of the administration of this Act have power to take declarations and affidavits and to receive evidence under oath in the same manner and to the same extent as a commissioner for taking affidavits. Secretary  
may  
administer  
oath.

4. *The Old Age Pensions Act, 1929*, is further amended by 1929, c. 73,  
amended. adding thereto the following section:

- 13a. For the purposes of this Act the territory known as "Burlington Beach" shall be a separate municipality and the Burlington Beach Commission shall have the powers and perform the duties conferred and imposed upon the local authority by or under the authority of this Act. Burlington  
Beach  
Commission.

5.—(1) Section 15 of *The Old Age Pensions Act, 1929*, is 1929,  
c. 73, s. 15,  
repealed. repealed and the following substituted therefor:

15. The moneys necessary to meet the old age pensions, payable under this Act and the salaries and expenses necessarily incurred in the administration of this Act by the Provincial Board and by the local authority in a provisional judicial district, shall be paid out of such moneys as may be appropriated by the Legislature for that purpose and in the absence of any such appropriation, shall be chargeable upon and payable out of the Consolidated Revenue Fund, and the salaries and expenses necessarily incurred by the local authority except in a provisional judicial district shall be payable by the municipal corporation. Provision  
for cost.

(2) Subsection 1 shall have effect as from the 1st day of November, 1929.

6. This Act shall come into force on the day upon which it receives the Royal Assent. Commence-  
ment of Act.

## CHAPTER 57.

## An Act to amend The Juvenile Courts Act.

*Assented to 3rd April, 1930.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Juvenile Courts Act, 1930*.

Rev. Stat.,  
c. 281, s. 2,  
subs. 2  
(1929, c. 74,  
s. 2),  
repealed.

2. Subsection 2 of section 2 of *The Juvenile Courts Act* as re-enacted by section 2 of *The Juvenile Courts Act, 1929*, is repealed and the following substituted therefor:

Deputy  
judge,—  
appoint-  
ment of.

(2) The Lieutenant-Governor in Council may appoint a deputy judge of the juvenile court who shall act as judge of the court and shall perform such duties as may be assigned to him by the Attorney-General.

In case of  
absence of  
judge or  
deputy,—  
who may  
act.

(2a) In case of the absence or illness of the judge or of the deputy judge and on the written request and with the written approval of the Attorney-General, any other person may act as judge of the juvenile court.

Commence-  
ment of  
Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.



## CHAPTER 58.

An Act to amend The Theatres and  
Cinematographs Act.*Assented to 3rd April, 1930.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Theatres and Cinematographs Act, 1930.* Short title.

**2.** Section 1 of *The Theatres and Cinematographs Act* is amended by inserting after the word "theatres" in the sixth line the words "public halls and buildings occupied by film exchanges," so that the section will now read as follows: Rev. Stat., c. 285, s. 1, amended.

1. Notwithstanding anything to the contrary in any other Act the Lieutenant-Governor in Council may make regulations similar or different in different localities, or with reference to different classes of buildings, or having application to different classes of performances or to different conditions governing the erection, operation and safety of theatres, public halls and buildings occupied by film exchanges, including inspection and supervision, and shall have every power for such purpose which shall be necessary to carry into effect the terms of this section. Regulations by Lieutenant-Governor in Council as to theatres.

**3.** Section 2 of *The Theatres and Cinematographs Act* is amended by inserting after the word "examining" in the eleventh line the words "re-examining and grading," so that the section will now read as follows: Rev. Stat., c. 285, s. 2, amended.

2. The Lieutenant-Governor in Council may impose a license upon and make regulations for licensing and defining theatres and public halls and the using and operating of cinematographs, moving picture machines or other similar apparatus, for prescribing terms and conditions under which such machines shall be operated, for licensing, operating and defining film exchanges, for prohibiting or regulating Licensing and regulating theatres, picture shows, etc.

films or slides to be exchanged or exhibited, for prescribing the terms and conditions under which such films may be sold, leased or exchanged, providing for payment of license fee or fees on each film displayed in Ontario, for regulating, and examining, re-examining and grading operators and apprentices, for prohibiting or regulating the printing, exhibition or display of pictures or advertising matter, and fixing fees to be paid for censoring films, pictures or advertising matter.

Rev. Stat.,  
c. 285, s. 9,  
amended.

4. Section 9 of *The Theatres and Cinematographs Act* is amended by striking out the word "fifteen" in the first line and inserting in lieu thereof, the word "sixteen," and after the word "on" in the fifth line insert the word "school," so that the section will now read as follows:—

Children  
under 16  
years of age  
attending  
shows.

9. A child under the age of sixteen years unaccompanied by an adult shall not be permitted to attend any exhibition by cinematograph, moving picture machine or other similar apparatus for admission to which a fee is charged, except on Saturday of each week and on school, public and legal holidays between the hours of 9 a.m. and 6 p.m., during which hours a matron, to be remunerated by the exhibitor, shall be engaged in each theatre whose duty it shall be to supervise the conduct of such children and of adults toward them while in such theatre, the appointment of such matron to be sanctioned in such manner as the Treasurer of Ontario may direct; and the Treasurer of Ontario may at any theatre in his discretion dispense with the attendance of a matron.

Rev. Stat.,  
c. 285,  
amended.

5. *The Theatres and Cinematographs Act* is amended by adding thereto the following sections:

Discretion as  
to granting,  
refusing or  
revoking  
licenses.

20. The Inspector of Theatres may in his discretion refuse to grant or may revoke for cause, or suspend any license issued under this Act but any such decision of the Inspector shall be subject to appeal to the Treasurer of Ontario.

Appeal by  
operator or  
apprentice.

21. An operator or apprentice may appeal from any decision of the Inspector to an Appeal Board appointed by the Treasurer of Ontario.

Fire  
prevention.

22.—(1) After the 31st day of May, 1931, a license to operate a theatre shall be granted only when the building in which such theatre is located is of fire resistive construction. Provided that the Treasurer

may

may in his discretion extend the time for altering or otherwise rendering any such building fire-resistive, for a period not exceeding one year from such date.

- (2) Where at the time this Act comes into force a theatre is held by any person other than the owner of the building in which it is located under a lease, sub-lease, or license, which does not provide for the making from time to time of such alterations or improvements in the building as may be necessary to obtain or keep in force a license to use the theatre, it shall (except as hereinafter provided) be the duty of the owner of the building to make such alterations or improvements as shall be necessary, and the cost of making such alterations or improvements shall be apportioned between the owner, the lessee, the sub-lessee, and the licensee, in proportion to the value of their respective interests in the said building as at the 31st of May, 1931, or such later date as may have been fixed by the Treasurer of Ontario.
- (3) In the event of the parties being unable to agree on such apportionment or the cost of such alterations or improvements, any party may have the matter submitted to arbitration under the provisions of *The Arbitration Act*.
- (4) In the event of the owner not wishing to make such alterations or improvements, or failing to make such alterations or improvements by the 31st of May, 1931, any lessee, sub-lessee, or licensee, may at his option terminate the lease, sub-lease, or license, held by him, upon giving 30 days notice in writing of his intention to do so to the person under whom he holds, and such lease, sub-lease, or license, shall come to an end at the expiration of such period of 30 days.

Apportionment of cost of alterations between landlord and tenant.

Arbitration.

Rev. Stat.,  
c. 97.

Right of tenant to terminate lease.

6. This Act shall come into force on the 1st day of June, 1930.

Commencement of Act.

## CHAPTER 59.

## An Act to amend The Silicosis Act, 1929.

*Assented to 3rd April, 1930.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Silicosis Act, 1930*.

1929, c. 71,  
amended.

2. *The Silicosis Act, 1929*, is amended by adding thereto the following section:

Penalty  
for non-  
compliance  
with Act,

9a. Every person who,—

- (a) being the owner, manager, proprietor or superintendent of any works to which this Act applies, refuses or neglects to comply with the requirements of this Act, or with any direction lawfully given under this Act, or with any regulation made under this Act; or
- (b) employs any person, or permits any person to be employed who is not the holder of a subsisting certificate given by a medical examiner under this Act that such person is medically fit to be employed in the cutting, polishing and finishing of granite, or in the treatment of any other substance to which this Act may be made applicable,

shall be guilty of an offence and may be proceeded against under *The Summary Convictions Act* and upon conviction shall incur a penalty of not less than \$100 nor more than \$500.

Rev. Stat.  
c. 121.

Commence-  
ment of  
Act.

3. This Act shall come into force on a day to be named by the Lieutenant-Governor by his Proclamation.

## CHAPTER 60.

## An Act for the Prevention of Forest Fires.

*Assented to 3rd April, 1930.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Forest Fires Prevention Act, 1930.*

2. In this Act,—

Interpre-  
tation,

- (a) "Minister" shall mean the Minister of Lands and Forests;
- (b) "Regulations" shall mean regulations made under the authority of this Act;
- (c) "Department" shall mean Department of Lands and Forests;
- (d) "Owner" shall include locatee, purchaser from the Crown, assignee, lessee, occupant, timber licensee, holder of mining claim or location, and any person having the right to cut timber and wood upon any land. R.S.O. 1927, c. 291, s. 1, *amended*.

3.—(1) The Lieutenant-Governor in Council may by proclamation declare any part of Ontario described in the proclamation a fire district.

Proclama-  
tion of fire  
districts.

(2) Such proclamation shall be published in the *Ontario Gazette*, and the part so described shall, from and after publication, be a fire district within the meaning of this Act. R.S.O. 1927, c. 291, s. 2 (1, 2).

Publication.

(3) The Lieutenant-Governor in Council may by proclamation terminate, extend, reduce or otherwise change such fire district. R.S.O. 1927, c. 291, s. 2 (3), *amended*.

Changing  
fire district.

Provincial  
Forester.—  
appoint-  
ment of.

4. The Lieutenant-Governor in Council may, upon the recommendation of the Minister, appoint a Provincial Forester for the purpose of carrying out the provisions of this Act and the regulations. R.S.O. 1927, c. 291, s. 3.

Duties.

5. The Provincial Forester shall have charge, under the direction of the Minister, of the administration and enforcement of this Act. R.S.O. 1927, c. 291, s. 4.

Officers for  
enforcement  
of Act.

6. The Minister may employ for the purposes of enforcing the provisions of this Act, such number of persons as he may deem necessary and who shall be subject to his instructions. R.S.O. 1927, c. 291, s. 5.

Honorary  
fire wardens.

7. The Minister may accept nominations from the licensees of honorary fire wardens who shall be appointed without salary or other remuneration and who shall have authority to enforce any of the provisions of this Act that the Minister may deem necessary and who shall wear a special badge to be issued by the Department.

Arrange-  
ments with  
owner for  
additional  
fire pro-  
tection.

8.—(1) Where the owner of any land in a fire district desires to provide protection from fire upon such land in addition to that authorized by the foregoing provisions of this Act, the Minister may arrange with such owner for the appointment of extra or special officers upon such land for the enforcement of this Act and the regulations.

Appoint-  
ments.

(2) Every such appointment shall be made or approved by the Minister and, subject to the regulations, the persons so appointed may exercise and perform the powers and duties of fire rangers or other officers appointed for the enforcement of this Act.

Payment  
of extra  
rangers.

(3) Every person appointed under subsection 1 shall be paid by the owner of the land such salary or other remuneration as the Minister may direct or approve. R.S.O. 1927, c. 291, s. 6 (1-3).

Close  
season in fire  
districts.

9.—(1) Subject to the regulations the period from the 1st day of April to the 15th day of October in each year shall be known as the close season in respect to the setting out of fire. R.S.O. 1927, c. 291, s. 7 (1), *amended*.

Setting  
out fire in  
close season.

(2) During the close season no person shall set out fire in a fire district except under the circumstances and subject to the conditions prescribed by the regulations. R.S.O. 1927, c. 291, s. 7 (2).

Setting  
out fire  
contrary to  
regulations.

10. Every person who sets out fire for the purpose of clearing land, removal of waste or debris or who uses fire for industrial purposes in a fire district during the close season, except in accordance with the regulations shall be guilty of an offence against this Act. R.S.O. 1927, c. 291, s. 8, *amended*.

Regu-  
lations.

11. The Lieutenant-Governor in Council upon the recommendation of the Minister may make regulations,—

(a)

- (a) for extending or restricting the close season for any or all of the fire districts in any year to such date as may be deemed necessary; Extending close season
- (b) for granting permits for the use of fire within any fire district, for clearing land, disposal of debris and other inflammable waste, and for industrial purposes; the conditions on which such permits may be granted; the precautions to be taken in the use of fire under permit, and the appliances, implements and apparatus to be kept at hand by the holders of permits; Permits.
- (c) prescribing the circumstances and conditions under which fire may be set out or used for any such purposes without the issue of a permit therefor; As to setting out for use of fire.
- (d) regulating the use of fire out of doors for cooking or obtaining warmth; Use of fire out of doors.
- (e) providing for the making of fire guards and the taking of other precautionary measures when, owing to drought or other circumstances, the Minister deems danger from fire to any town or settlement especially imminent; Fire guards, etc.
- (f) regulating or preventing the piling or accumulation of brushwood, debris and other inflammable material; Accumulation of inflammable material.
- (g) empowering the Provincial Forester, or any officer or servant of the Department to enter upon the lands of any corporation or individual for the purpose of removing, destroying and disposing of any such inflammable substance and providing that the cost of such work shall be borne by such individual or corporation and be recoverable by action at the suit of the Minister; Destruction and disposal of inflammable material.
- (h) prescribing and regulating the use of fire protective appliances on locomotive engines, logging engines, portable engines, traction engines or stationary engines, using fuel other than oil, and for compelling the use of such appliances and prescribing the precautions to be taken for preventing forest fires being caused by such use or operation; Protective appliances on engines, etc.
- (i) providing for the collection of the cost of any work done under the authority of this Act by the Provincial Forester, or any officer of the Department, or of a municipal corporation. Collection of cost.

Prescribing penalties.

(j) prescribing penalties for the violation of the regulations;

General.

(k) generally for the better carrying out of forest fire prevention and the provisions of this Act. R.S.O. 1927, c. 291, s. 9, *amended*.

Powers of Provincial Forester as to clearing up land.

**12.**—(1) Wherever the Provincial Forester finds upon the land of any person or corporation in a fire district conditions existing which, in his opinion, may be the cause of danger to life or property from fire, he may order the owner or person in control of the land to do what, in the opinion of the Provincial Forester, is necessary to remove such danger, and in default may enter upon such land with such assistants as he may deem necessary for the purpose of removing the danger.

Cost of work.

(2) The cost of any work done by the Provincial Forester or his assistants under subsection 1 shall be borne and paid by the owner or person in control of such lands and shall be recoverable by the Provincial Forester by action in any court of competent jurisdiction. R.S.O. 1927, c. 291, s. 10 (1, 2).

Penalty.

(3) Any person who neglects or refuses to carry out any order or direction given by the Provincial Forester or any officer acting under the authority of subsection 1 shall be guilty of an offence against this Act. R.S.O. 1927, c. 291, s. 10 (3), *amended*.

Offences

**13.**—(1) During the close season in any year it shall be unlawful for any person, company or corporation in a fire district,—

Using engines without prescribed safeguards

(a) to use or operate within a quarter of a mile of any forest, slashing or bush land any locomotive, logging engine, portable engine, traction engine or stationary engine, using fuel other than oil, which is not provided with a practical and efficient device for arresting sparks, together with an adequate device for preventing the escape of fire or live coals from all ash pans and fire boxes, and which does not comply in every respect with any regulations for the time being made and in force under and by virtue of the provisions of this Act;

Destroying waste, etc., without spark arresters.

(b) to destroy any wood or waste material by fire within any burner or destructor operated at or near any mill or manufactory or to operate any power-producing plant using in connection therewith any smoke-stack, chimney or other spark emitting outlet, without installing and maintaining on such burner or destructor or on such smoke-stack, chimney or spark-

emitting



emitting outlet a safe and suitable device for arresting sparks complying in all respects with the regulations.

(2) No such railway company shall permit fire, live coals or ashes to be deposited on its tracks or right-of-way unless they are extinguished immediately thereafter, except in pits provided for the purpose. R.S.O. 1927, c. 291, s. 11 (1,2). <sup>Dropping fire or live coals.</sup>

(3) Notwithstanding the penal provisions of this Act, any court of competent jurisdiction may upon the application of the Provincial Forester, grant an injunction against the use of any locomotive, engine, burner or destructor until it shall have been equipped with safety appliances to the satisfaction of the said officer. R.S.O. 1927, c. 291, s. 11 (4). <sup>Injunction.</sup>

**14.** It shall be the duty of every engineer in charge of any engine which is not subject to the jurisdiction of the Board of Railway Commissioners for Canada to see that all safety appliances required by this Act or by the regulations are properly used and applied, and in default he shall be guilty of an offence against this Act. R.S.O. 1927, c. 291, s. 12. <sup>Duty of engineer.</sup>  
*Amended.*

**15.—(1)** Where it appears to the municipal council of a city, town or township in a provisional judicial district that the condition of any land in the municipality or adjacent thereto is by reason of unfinished clearing a source of danger from fire to property in the municipality, the council may cause a statement of the facts to be made to the Provincial Forester. <sup>Action by municipality in district. Complaint to Provincial Forester.</sup>

(2) The Provincial Forester shall make inquiry as to the conditions described by the council and shall report the result of his inquiry to the council with his recommendation as to what action, if any, should be taken thereon. <sup>Enquiry into complaint.</sup>

(3) Where the Provincial Forester finds that cause for complaint exists owing to the unfinished clearing of land the council may give notice to the owner of the land directing him, within a time to be named in the notice, to properly clean up the land or such part thereof or to such extent as the Provincial Forester may direct and designate in his report and to remove, as far as possible, all source of danger by fire. <sup>Notice to owner to clean up land.</sup>

(4) If within the time so fixed the necessary work has not been done, the corporation of the municipality may cause the work to be done and the land to be cleaned up and the expenses of the corporation in doing such work shall be a charge upon the land and shall be payable by the owner forthwith. <sup>Default of owner,—work done by corporation.</sup>

(5) If the land is patented and lies in an organized municipality the treasurer of the municipal corporation doing the work shall notify the clerk of the municipality in which the <sup>Recovery of expenses where land is patented in organized territory.</sup>

land lies of the amount so due and if after thirty days after the date of the receipt of such notice the amount remains unpaid the corporation of the municipality in which the land lies shall pay the amount to the treasurer of the municipality doing the work and the corporation making such payment may thereupon register or lodge in the proper registry or land titles office, a declaration under the hand of the reeve or other head and clerk of the municipality and the treasurer thereof and having the corporate seal affixed thereto, declaring that the municipal corporation claims a lien upon the land for the amount so paid and interest thereon at the rate of seven per centum per annum

Where land is patented in unorganized territory.

(6) If the land is patented and lies in territory without municipal organization the municipal corporation doing the work may register or lodge in the proper registry or land titles office, a declaration to the same effect as the declaration mentioned in subsection 5 under the hand of the reeve or other head of the corporation and the treasurer thereof and having the corporate seal affixed thereto, stating that the corporation claims a lien upon the land for the amount of such expenses with interest at the rate of seven per centum per annum from the date of the declaration. R.S.O. 1927, c. 291, s. 13 (1-6).

Effect of registration.

(7) Upon the registration or filing of the declaration mentioned in subsections 5 and 6, the municipal corporation making the declaration shall have a lien upon the land for the amount claimed and such lien shall have priority according to the general law of Ontario and if the claim remains unpaid for a period of three months after registration and filing the same may be enforced by the sale of the land in the manner provided for in the regulations hereto or hereafter to be made. R.S.O. 1927, c. 291, s. 13 (7), *amended*.

"Owner,"—meaning of.

(8) In this section "owner" shall mean locatee, purchaser from the Crown, assignee, purchaser or occupant. R.S.O. 1927, c. 291, s. 13 (8).

Duty of reeve as to summoning assistance at fires.

**16.**—(1) Upon information being received by the reeve of a township or, in the absence of the reeve, the deputy reeve next in authority to the reeve of such township, that a timber or forest fire in such township is in progress and is hazardous, said reeve, or deputy reeve, as the case may be, shall make inquiry as to said fire and if, in his opinion, such fire is hazardous, he shall employ or summon the assistance of such male persons between the ages of eighteen and sixty years, resident in such township, excepting only railway trainmen, boat crews, local telephone operators, telegraphers and despatchers on duty, doctors and persons physically unfit, as in his judgment may be necessary or available for the purpose of fighting and extinguishing such fire.

(2) The municipal council of such township may pass a by-law fixing the amount of the remuneration to be paid to the persons so employed for the services rendered by them, and in the absence of such by-laws such remuneration shall be made therefor as in the judgment of the judge of the county or district in which such township is situate is reasonable and just. R.S.O. 1927, c. 291, s. 14.

17. It shall be the duty of the municipal corporation of any organized township to make provision for extinguishing timber or forest fires in the township and the costs and expenses thereof shall be borne by the corporation of the township, provided that where a fire occurs which is beyond control by the means at the disposal of the corporation of the township, the reeve or acting head of the corporation may call on the Department for assistance and the Department, if it thinks fit, may furnish such assistance, and one-half of any costs or expenses incurred by the Department in extinguishing such fire shall be repayable by the corporation of the township and recoverable by the Department from the township in any court of competent jurisdiction.

18.—(1) The Lieutenant-Governor in Council may appoint constables for the enforcement of the provisions of this Act, and may appoint one or more officers or agents of the Department justices of the peace for the purpose of taking cognizance of and dealing with offences against the provisions of this Act or the regulations made thereunder, and each officer and agent so appointed a justice of the peace shall have the jurisdiction of a justice of the peace in and for the territorial district specified in his commission.

(2) The Minister may appoint one or more constables for a period not exceeding seven months, for the carrying out of the provisions of this Act.

(3) A constable appointed under this section may, without warrant, arrest any person found violating any provision of this Act and take him before a justice or justices of the peace and there make complaint.

(4) For the purpose of controlling and extinguishing any fire, any officer or other employee of the Department may employ or summon the assistance of any male person between the ages of eighteen and sixty years, excepting only trainmen, boat crews, local telephone operators, telegraphers and despatchers on duty, doctors and persons physically unfit. R.S.O. 1927, c. 291, s. 15 (1-4).

(5) Every person who refuses or neglects to render assistance when required under any of the provisions of this section

shall

shall be guilty of an offence against this Act. R.S.O. 1927, c. 291, s. 15 (5), *amended*.

Burning matches, ashes, etc.

**19.** Any person who throws or drops any burning match, ashes of a pipe, lighted cigarette, cigar or other burning substance in a fire district without extinguishing the same, and any person who discharges a gun within a fire district without seeing that the wadding from such gun is extinguished shall be guilty of an offence against this Act. R.S.O. 1927, c. 291, s. 16, *amended*.

Right of Provincial Forester to enter on premises.

**20.** The Provincial Forester and every officer acting under his direction shall have the right while in the performance of his duties to enter into and upon any lands and premises other than a private dwelling, store, storehouse, office or farm building, and every person who hinders, obstructs and impedes any such officer in the performance of his duty shall be guilty of an offence against this Act. R.S.O. 1927, c. 291, s. 17, *amended*.

Destroying or effacing notices,

**.21—(1)** Every person who shall without lawful authority destroy, deface or remove any notice posted under this Act or the regulations shall be guilty of an offence against this Act.

Penalty for interfering with fire-fighting equipment.

**(2)** Every person who shall without lawful authority destroy, injure, or remove any equipment placed in the forest for the purpose of protecting the forests from fire shall be guilty of an offence against this Act. R.S.O. 1927, c. 291, s. 18, *amended*.

Penalty for neglecting to protect against fire,

**22.** Every person who refuses or neglects to make proper effort to protect the property of which he is the owner against injury by fire shall be guilty of an offence against this Act, and, in addition to the other penalties imposed by this Act, shall be liable for the expense incurred by the Department or any of its employees in an effort to protect against fire the property of the person thus in default and the amount of such expense shall be recoverable with costs in an action brought by the Crown. R.S.O. 1927, c. 291, s. 19, *amended*.

Destruction of refuse on clearing land for highway.

**23.—(1)** Every person clearing a right-of-way for any road, trail, telephone, telegraph, power or pipe line, tote-road, ditch or flume shall, as rapidly as the clearing or cutting progresses and the weather conditions permit, or at such other time as an authorized officer of the Department may direct, pile and burn on such right-of-way all refuse, timber, brush or other inflammable material cut or accumulated thereon, all such right-of-way burning to be subject to the requirements of this Act in respect to burning permits.

(2) Any person who within three hundred feet of the right-of-way of any railway causes any accumulation of inflammable debris shall immediately pile and, subject to the requirements of this Act concerning permits, burn the same. Clearing away inflammable matter near right-of-way.

(3) No person shall fell or permit to be felled trees or brush in such manner that said trees or brush shall fall and remain on land not owned by the person felling or permitting the felling of such trees or brush. Timber to be cut to fall on owner's land.

(4) Every person having charge of a camp, mine, sawmill, portable or stationary engine using fuel other than oil and located within one-half mile of any forest or woodland shall have the area surrounding said camp, mine, sawmill, or engine cleared of inflammable material for a distance of at least three hundred feet and such further distance as may in the opinion of the Provincial Forester, or other officer of the Department, be required. Clearing in neighbourhood of mills, etc.

(5) No person shall within one-half mile of any village, town or city accumulate inflammable debris or permit any such accumulation to remain on any property owned by him or under his control. R.S.O. 1927, c. 291, s. 20 (1-5). Accumulation of inflammable refuse.

(6) Every person who violates any of the provisions of this section shall be guilty of an offence against this Act. R.S.O. 1927, c. 291, s. 20 (6). *Amended.* Penalty.

**24.**—(1) Excepting where land is being cleared for agricultural purposes by a locatee, purchaser or patentee, every person, firm or corporation shall in addition to any other requirement be required to obtain from the Provincial Forester or other authorized officer a written permit before,— Permit required.

(a) carrying on any logging, mining or industrial operation or before clearing a right-of-way for any road, trail, telephone, telegraph, power or pipe line, tote-road, ditch or flume or before constructing any dam, bridge, or camp or before carrying on any other woods operation of any kind liable to cause the accumulation of any slash or debris on any land within the fire districts of the Province; Permit for woods operations.

(b) operating within a quarter of a mile of any forest, slashing or bush land within the fire districts of the Province any mill for the manufacture of lumber, lath, shingles, sawn ties, veneer, cooperage stock or any other forest product or engaged in the cutting-up, barking or rossing of wood. Permit for milling operations.

Description  
in permit.

(2) The application for such permit shall state the location of the proposed operation or mill, the character thereof, the number of men to be employed, the location of camps and the probable duration of the operation.

(3) The Provincial Forester or other authorized officer may in the interest of forest protection,—

Right  
to refuse  
permit.

(a) refuse the granting of permission for any operation or limit the period during which the operation may be carried on;

Equipment  
required of  
permittee.

(b) require that any permittee carrying on any operation under and by virtue of this section maintain such fire fighting equipment in good repair and at specified locations as the Provincial Forester, or other authorized officer, may deem necessary for the control of fires which might be caused either directly or indirectly by the operation;

Right of can-  
cellation.

(c) cancel at any time any permit issued under and by virtue of this section.

Cost of  
extinguish-  
ment.

(4) In the event of any fire being proved to be caused by or as a result of the summer operations of any permittee operating under and by virtue of this Act, the permittee shall be required to bear the full cost of extinguishing the same.

Expiration  
of permit.

(5) All permits shall expire on the 30th day of April next after the date thereof and shall be subject to renewal only upon compliance with the terms thereof and with the provisions of this Act and regulations made thereunder.

Penalty.

(6) Every person who violates any of the provisions of this section shall be guilty of an offence against this Act.

Per diem  
penalty.

(7) Where the Provincial Forester or other authorized officer finds any operation mentioned in subsection 1 of this section being conducted without a permit he may, in addition to any penalty imposed, give notice that such operation must cease until the necessary permit has been secured, and any person, firm or corporation carrying on an operation after such notice has been given shall be subject to a fine of \$25 for each and every day such operation is continued without a permit.

Supplying  
badge.

**25.—**(1) In addition to all other requirements of this Act or regulations thereunder every person, company or corporation carrying on woods operations during the close season on Crown lands shall supply a badge to every employee



working on said operation and said badge shall bear such information as the Minister may deem necessary.

(2) The badge must be worn at all times by the employee when on Crown lands, and it shall be an offence against this Act for a licensee or permittee to allow an employee to engage in such work without a badge, and shall also be an offence for employees supplied with badges to neglect or refuse to carry the same. When to be worn.

**26.**—(1) The Lieutenant-Governor in Council may, whenever he deems it necessary for the protection of any defined forest area within any fire district of Ontario, require that anyone wishing to enter and travel about in such area during the close season shall previously obtain a permit. Permit to travel in forest area.

(2) Such permit, called "travel permit" may be obtained without charge from the fire ranger of the place or from any other authorized person. R.S.O. 1927, c. 291, s. 21 (1, 2). Issue of permit.

(3) No person shall travel about in such defined area without having previously obtained a permit. R.S.O. 1927, c. 291, s. 21 (3), *amended*. Entering area without permit.

(4) Every person who violates any of the provisions of this section shall be guilty of an offence against this Act. R.S.O. 1927, c. 291, s. 21 (5), *amended*. Imprisonment.

**27.** Persons using or travelling in the forest, shall upon request, give the fire rangers or other authorized officers of the Crown information as to name, address, routes to be followed, location of camps and any other information pertaining to the protection of the forest from fire, and any person who refuses to give the information required by this section shall be guilty of an offence against this Act. R.S.O. 1927, c. 291, s. 22, *amended*. Information to be given to fire rangers by tourists, etc.

**28.**—(1) Whenever in the opinion of the Minister it is deemed necessary or expedient, owing to extreme fire hazard conditions, to close any area and shut out therefrom all persons except such as are specially authorized, the Minister may make an order in writing setting out and delimiting the area to be closed and the period during which such closure shall be in force, and any other terms and conditions that may be necessary, and the Minister may from time to time extend such period and reduce or extend the area. Closing the forest.

(2) The Minister may provide for such notice as may be possible under the circumstances, and shall publish a notice of such order setting out the area closed and the period of such closure in such papers as in the opinion of the Minister will give the greatest publicity. Notice of closing.

Penalty.

**29.** Every person who disobeys or refuses or neglects to carry out any of the provisions of this Act or any regulation or order made thereunder shall be guilty of an offence against this Act and shall incur a penalty of not less than \$25 and not more than \$300, and in default of payment may be imprisoned for a term not exceeding ninety days.

Imprisonment.

**30.** Every person who violates any provision of this Act shall, in addition to the penalty otherwise provided in this Act, be liable to imprisonment for a period not exceeding ninety days. R.S.O. 1927, c. 291, s. 23.

Right of action for damages not affected.

**31.** Nothing in this Act shall affect or be held to limit or interfere with the right of any person to bring and maintain a civil action for damages occasioned by fire. R.S.O. 1927, c. 291, s. 24.

Recovery of penalties, Rev. Stat., c. 121.

**32.** The penalties imposed by this Act and the regulations shall be recoverable under *The Summary Convictions Act*. R.S.O. 1927, c. 291, s. 25.

Rev. Stat., c. 291, repealed.

**33.** *The Forest Fires Prevention Act*, being chapter 291 of the Revised Statutes of 1927, is repealed.

Commencement of Act.

**34.** This Act shall come into force on the day upon which it receives the Royal Assent.



## CHAPTER 61.

## An Act to amend The Fire Marshals Act.

*Assented to 3rd April, 1930.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Fire Marshals Act, 1930*. Short title.
2. Section 4 of *The Fire Marshals Act* is amended by Rev. Stat.,  
c. 295, s. 4,  
amended. adding thereto the following clause:
  - (i) Subject to the regulations, to enter upon, examine Powers  
of Fire  
Marshal as  
to entry and  
inspection. and inspect from time to time hotels, apartment houses, factories, work shops and other places where persons reside or are employed in numbers, and direct such alterations to be made and such precautions to be taken as he may deem necessary for the purpose of complying with the provisions of any statute or regulation made for the better protection of life and property in such buildings.
3. This Act shall come into force on the day upon which Commence-  
ment of  
Act. it receives the Royal Assent.

## CHAPTER 62.

## An Act to amend The Game and Fisheries Act.

*Assented to 3rd April, 1930.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

**1.** This Act may be cited as *The Game and Fisheries Act, 1930.*

Rev. Stat.,  
c. 318, s. 2,  
cls. 4, j and o,  
amended.

**2.**—(1) The clause lettered *i* in section 2 of *The Game and Fisheries Act* is amended by inserting the word "immediately" after the word "months" in the third line thereof.

(2) The clause lettered *j* in section 2 of the said Act is amended by striking out the word "warden" in the second line and inserting in lieu thereof the word "superintendent."

(3) The clause lettered *o* in section 2 of the said Act is amended by inserting the word "immediately" after the word "months" in the third line thereof.

Rev. Stat.,  
c. 318, s. 2,  
amended.

**3.** Section 2 of *The Game and Fisheries Act* is amended by adding thereto the following clause:

"Farmer."

(bb) "Farmer" shall mean any person actually living upon and tilling his own lands or lands to the possession of which he is for the time being entitled.

Rev. Stat.,  
c. 318, s. 7,  
cl. cc  
(1929,  
c. 82, s. 2,  
subs. 2),  
repealed.

**4.** The clause lettered *cc* in section 7 of *The Game and Fisheries Act*, as enacted by subsection 2 of section 2 of *The Game and Fisheries Act, 1929*, is repealed and the following substituted therefor:

Close season  
—deer and  
moose.

(cc) Any deer or moose in that part of Ontario lying south of the French and Mattawa Rivers, except from the 5th day of November to the 20th day of November, both days inclusive, but it shall be unlawful to hunt, kill or destroy any deer or moose at any time in the counties of Bruce, Grey, Simcoe and York, and that part of Ontario lying to the south and west thereof, or in the counties of Leeds, Grenville, Dundas, Stormont, Glengarry and Carlton.

5. Subsection 3 of section 9 of *The Game and Fisheries Act* Rev. Stat., c. 318, s. 9, amended. as amended by section 3 of *The Game and Fisheries Act, 1928*, is further amended by striking out the word "or" where it appears in the third line thereof, and inserting after the word "mink" in the third line, the words "or fox."

6. Subsection 2 of section 10 of *The Game and Fisheries Act* Rev. Stat., c. 318, s. 10, subs. 2, amended, is amended by adding the words:

"In any territory where there is an open season for the taking of deer and moose in that part of Ontario lying south and east of the French and Mattawa Rivers, from the 5th day of November to the 20th day of November, both days inclusive and in that part of Ontario, lying to the north of the French and Mattawa Rivers from the 1st day of November to the 25th day of November, both days inclusive";

after the word "dog," where it appears in the eighth line thereof.

7. Section 10 of *The Game and Fisheries Act* is further amended by adding thereto the following subsection: Rev. Stat., c. 318, s. 10, amended.

(2a) The Department may upon application by a resident of Ontario issue a permit authorizing the use of dogs for the hunting of foxes during the regular open season, in an area where deer are not usually found. Use of dogs for hunting foxes,

8. *The Game and Fisheries Act* is amended by adding thereto the following sections: Rev. Stat., c. 318, amended,

19b. It shall be unlawful for any issuer of licenses to issue and for any person to receive any license which has been ante-dated, and any person contravening the provisions of this section shall be guilty of an offence against this Act. Licenses not to be ante-dated.

19c. It shall be unlawful for any person other than a person authorized within the provisions of this Act to issue any licenses or collect any fees in respect of the same, and any person so doing shall be guilty of an offence against this Act. Unauthorized persons not to issue licenses, etc.

9. Section 25 of *The Game and Fisheries Act* as amended by section 8 of *The Game and Fisheries Act, 1928*, is further amended by striking out the word "license" in the seventh line and inserting in lieu thereof the word "permit." Rev. Stat., c. 318, s. 25 (1928, c. 52, s. 8), amended.

Rev. Stat.,  
c. 318, s. 34,  
subs. 2,  
amended.

**10.**—(1) Subsection 2 of section 34 of *The Game and Fisheries Act* is amended by inserting the words “ordinary uncovered, flat-bottomed boats” after the words “rowboats” in the fourth line of the said section.

Rev. Stat.,  
c. 318, s. 34,  
subs. 4,  
amended.

(2) Subsection 4 of the said section 34 is amended by striking out the words “twenty-five” in the first line and inserting in lieu thereof the word “fifteen,” and by striking out the words “two hundred” in the second line and inserting in lieu thereof the words “one hundred and fifty.”

Rev. Stat.,  
c. 318, s. 34,  
subs. 5,  
amended.

(3) Subsection 5 of the said section is amended by striking out the word “birds” where the same appears in the eighth line, and substituting therefor the words “animals, birds or fowl.”

Rev. Stat.,  
c. 318, s. 36,  
subs. 2,  
(1929, c. 82,  
s. 8),  
amended.

**11.** Subsection 2 of section 36 of *The Game and Fisheries Act* as enacted by section 8 of *The Game and Fisheries Act, 1929*, is amended by the insertion of the words “Hastings, Peterborough” after the words “counties of” where they appear in the second line thereof.

Rev. Stat.,  
c. 318, s. 58,  
subs. 5,  
amended.

**12.** Subsection 5 of section 58 of *The Game and Fisheries Act* is amended by striking out the word “warden” where it appears in the second line of the said section, and substituting therefor the word “superintendents.”

Commence-  
ment of  
Act.

**13.** This Act shall come into force on the 1st day of June, 1930.

## CHAPTER 63.

## The School Law Amendment Act, 1930.

*Assented to 3rd April, 1930.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 1 of section 3 of *The Department of Education Act* is amended by striking out the word "technical" in the fifth line and inserting in lieu thereof the word "vocational," so that the subsection will now read as follows:

- (1) The Minister shall have the administration and enforcement of the statutes and regulations respecting public schools, separate schools, kindergarten departments, supervised and outdoor playgrounds, consolidated schools, high schools, collegiate institutes, continuation schools, vocational schools, school cadet corps, all departments of any such schools, night schools, school gardens, school libraries, public libraries, travelling libraries, library institutes and of all other schools supported in whole or in part by public money which may hereafter be established, unless other provision is made in the Act by which the school is established.

2.—(1) Subsection 1 of section 5 of *The Department of Education Act* is amended by striking out the clauses lettered *a* to *g* inclusive, and substituting the following therefor:

- (a) Subject to the regulations to apportion all sums of money appropriated for public and separate schools among the several cities, towns and villages, and among the rural schools, having regard to the attendance at the schools, the value of the property liable to taxation for school purposes, the expenditure of the board upon education, and to such other considerations as, in the opinion of the Minister, should affect such apportionment.

Statement of  
Assembly.

- (i) A statement showing the amount apportioned to every rural public school and to every separate school under clause *a* shall be laid before the Assembly within ten days after the commencement of the session held in the year next after that in which the apportionment takes place.

Payment of  
grants to  
urban  
schools.

- (b) to pay, on or before the 1st day of August in each year, the grants apportioned to urban public, and separate schools, to the boards of public and separate school trustees upon the warrants of public and separate school inspectors, respectively.

(2) Subsections 2, 3, 4, and 5 of the said section 5 are repealed.

Rev. Stat.,  
c. 323, s. 1,  
amended.

**3.** Section 1 of *The Public Schools Act* is amended by striking out the clauses lettered *b*, *c*, *d* and *e*, and by striking out the clauses lettered *s* and *t* and inserting in lieu thereof the following:

Inter-  
pretation.  
Inspectors.

- (s) "City Inspector" shall mean an inspector who devotes his full time to the inspection of the public schools of a city.

- (t) "City Inspectorate" shall mean a city where there are one or more inspectors devoting full time to the inspection of the public schools of the city.

Rev. Stat.,  
c. 323, s. 30,  
subs. 19,  
amended.

**4.** Subsection 19 of section 30 of *The Public Schools Act* is amended by adding thereto the following clauses:

School  
arbitrations  
payment  
of award.

- (a) Where the award directs the payment of any sum of money by one municipal corporation to another, the corporation liable may pass a by-law for borrowing the money by the issue and sale of debentures and it shall not be necessary to obtain the assent of the electors to any such by-law, or to observe the other formalities in relation thereto prescribed by *The Municipal Act*.

Debentures  
to be a  
charge  
on public  
school rates.

- (b) The debentures and the money to be raised annually for the payment thereof shall be chargeable only upon the property of ratepayers who are the supporters of public schools.

Term  
and form of  
debentures.

- (c) The debentures may be for such amount and for such term of years, not exceeding thirty, as the council sees fit, or the council may make the prin-

cipal and interest payable in annual or other instalments in the manner provided by *The Municipal Act*.

5. Subsection 7 of section 38 of *The Public Schools Act* is amended by striking out the word "county" in the third line and substituting therefor the word "township."

Rev. Stat.,  
c. 323, s. 38,  
subs. 7,  
amended.

6. Subsection 1 of section 57 of *The Public Schools Act* is amended by adding thereto the following words: "on the warrant of the proper inspector."

Rev. Stat.,  
c. 323, s. 57,  
subs. 1,  
amended.

7. Section 74 of *The Public Schools Act* is repealed and the following substituted therefor:

Rev. Stat.,  
c. 323, s. 74,  
repealed.

74. Every person named in the last revised voters' list as being entitled to vote at municipal elections shall be entitled to vote at the election of school trustees in urban municipalities, excepting persons who are assessed as supporters of separate schools and persons who are entered on such voters' list by reason of being the wife or husband of a person assessed as a supporter of separate schools.

Who may  
vote at  
urban  
school  
elections.

8. Section 88 of *The Public Schools Act* is amended by adding thereto the following clause:

Rev. Stat.,  
c. 323, s. 88,  
amended.

(bb) to provide and pay for such equipment as may be necessary for the teaching of agriculture, and, if deemed expedient, to contribute toward the support of rural school fairs.

Duties  
of trustees.

9. Section 109 of *The Public Schools Act* is amended by adding thereto the following subsections:

Rev. Stat.,  
c. 323, s. 109,  
amended.

(5) The council of every township shall each year levy and collect by assessment upon the taxable property of the whole township not included in an urban municipality or annexed thereto, for school purposes, such a sum as is required to pay the salary and expenses of the attendance officer or officers appointed by said council under authority of *The School Attendance Act*, and *The Adolescent School Attendance Act*.

Township  
to raise  
salary and  
expenses of  
attendance  
officers  
under Rev.  
Stat., c. 332,  
c. 333.

(6) the payments to the boards under this section shall be made on the warrant of the proper inspector.

Payments  
to boards.

10. Sections 113 to 118 of *The Public Schools Act* are repealed and the following substituted therefor:

Rev. Stat.,  
c. 323.

113.—(1) The Minister shall determine the number of inspectors to be appointed throughout the Province and he shall also define the limits of the inspectorate of each inspector except in the case of a city inspector.

Number of  
inspectors  
and limits of  
inspectorates  
to be fixed  
by Minister.

(2)

In cities were  
several  
inspectors.

- (2) Where more inspectors than one are appointed in a city, the board of education or board of public school trustees, as the case may be, shall, subject to the approval of the Minister, define the limits of the inspectorate of each inspector, and subject to the like approval may assign to each inspector such duties in addition to those prescribed by the regulations as the board may deem expedient.

Appoint-  
ment in  
cities where  
no duties  
outside.

- 114.—(1) Where the duties of an inspector are confined entirely to the public schools of a city, the appointment of such inspector, shall be made by the board of education or the public school board, as the case may be, of the city.

Appoint-  
ments else-  
where to be  
made by  
Crown.

- (2) The appointment of all other inspectors shall be made by the Lieutenant-Governor upon the recommendation of the Minister and they shall hold office during pleasure.

Appoint-  
ments to fill  
vacancies  
in cities.

- (3) Where the Minister directs the appointment of an additional inspector in a city, or when a vacancy occurs in the office of city inspector, an inspector shall be appointed by the board by resolution passed at the first meeting held after receiving such direction or after the vacancy occurs.

Resolution  
to be sent to  
Minister.

- (4) The secretary of the board shall forthwith transmit a copy of the resolution, certified by the chairman, to the Minister by registered post.

Appoint-  
ment by  
Minister on  
neglect of  
board.

- (5) Where a public school board or board of education of a city for one month after a vacancy occurs or after the Minister has directed the appointment of an inspector neglects to make an appointment the same may be made by the Minister.

Ratification  
of appoint-  
ment by  
Minister.

- (6) Every appointment of a city inspector shall be subject to ratification by the Minister and if not so ratified within one year after he enters upon his duties the engagement of the inspector shall terminate at the end of that period and the board shall appoint another inspector as provided for by this Act.

Chief  
Inspector  
for city  
assignment  
of duties.

- (7) Where more inspectors than one are appointed in a city the board may, subject to the approval of the Minister, designate one of the inspectors to be chief inspector; and, subject also to the approval of the Minister the board may assign such duties in addition to those prescribed in the regulations to the chief inspector and to each inspector, as the board may deem expedient.



- (8) When the number of teachers in a city occupying separate classrooms with separate registers becomes 100, the public school board or the board of education, as the case may be, of the city shall appoint a city inspector. Where Inspector to be appointed for city only.
- (9) In a city where the number of teachers occupying separate classrooms with separate registers is fewer than 100, the public school board or board of education, as the case may be, of the city may make application to the Minister for power to appoint a city inspector and the Minister shall have authority to approve of the request. Where city Inspector may be appointed elsewhere.
- 115.—(1) An inspector may be suspended or removed from office by the Minister for neglect of duty, misconduct, inefficiency or physical infirmity. Suspension or removal of Inspector by Minister.
- (2) (a) The board of a city by which an inspector is appointed may suspend the inspector for neglect of duty, misconduct, inefficiency or physical infirmity. By board.
- (b) The secretary of the board of the city shall forthwith report such suspension to the Minister in writing, with a statement of the reasons therefor, and the Minister may remove or confirm the suspension or may remove the inspector from office and the decision of the Minister shall be final. Report to Minister.
- (3) The Minister may give such direction as to the payment or forfeiture of the salary of the inspector for the period of suspension as he may think just. Direction as to payment of forfeiture of salary.
- 116.—(1) The Minister shall have power to make regulations from time to time governing the qualifications of inspectors; and he shall also have power to make provision for courses of training for inspectors. Regulations as to qualification.
- (2) No person shall be appointed or act as an inspector of public schools who has been removed from the office of inspector by the Minister. Inspector removed not to be employed.
- (3) An inspector appointed by the board of education or the public school board, as the case may be, of a city shall hold the qualifications for an inspector prescribed by the regulations and shall be required to take such courses of training as may be required under the regulations. Qualification of city inspector.
- (4) An inspector shall not accept any other office or employment and may not follow any other profession Whole time to be given.

or calling during his tenure of office as an inspector, without the approval of the Minister.

**Duties of  
Inspectors.**

117.—(1) Subject to the regulations it shall be the duty of every public school inspector,—

- (a) to bring about improvement in the work done in the classrooms by inspiring the teachers and pupils and by sympathetically assisting the teachers to improve their practice;
- (b) to assist and co-operate with school boards to the end that the public schools may best serve the needs of the children in each community;
- (c) to visit in every year each school room in his inspectorate, having a separate register as often and for such length of time on each occasion as the Minister may direct;
- (d) to prepare a report of every such visit in the form prescribed by the regulations;
- (e) to forward within ten days after such visit a copy of every such report to the board within whose jurisdiction the school is situate;
- (f) to make a general annual report as to the performance of his duties and the condition of the schools in his inspectorate to the Minister of Education and also to the board of the city in the case of a city inspectorate;
- (g) to report to the medical officer of health of the municipality any case in which the school buildings or premises are found to be in an unsanitary condition;
- (h) to furnish the Minister with information respecting any public school in his inspectorate whenever required to do so;
- (i) to withhold his order for the amount apportioned from the legislative grant and to order the withholding of the municipal grant,—
  - (i) where any school has been kept open for less than six months in the year except

where

where the school has been closed by order of the medical officer of health or local or provincial health authorities on account of the prevalence of any communicable disease;

(ii) where the board fails to transmit promptly the annual or other school returns properly filled up;

(iii) where the board fails to comply with this Act or with the regulations;

(iv) where the teacher uses or permits to be used as a text book, any book not authorized by the regulations;

and in every case to report to the board and to the Minister his reasons for so doing;

(j) to discharge such other duties as may be required by the Minister or regulations;

(k) on retiring from office to deliver to his successor his official correspondence and all school papers in his custody on the order of the Minister.

(2) Every inspector shall be directly responsible to the Minister for the due performance of his duties, and, subject to the regulations, shall obey the direction of the board in the case of a city inspectorate.

(3) Where an inspector requires the testimony of a witness as to any fact alleged in any complaint or appeal made to him or to the Minister he may administer an oath to the witness and he shall have the like power to take evidence and to enforce the attendance of witnesses and the production of documents as a court has in civil cases.

118.—(1) On and after July 1st, 1930, the salaries and travelling and other expenses of all inspectors, except city inspectors, shall be fixed by the Minister, and shall be paid by the Treasurer of Ontario out of the moneys appropriated for that purpose, at such times and in such manner as the Minister may direct.

In cities.

- (2) The salary and the travelling and other expenses of a city inspector shall be fixed by the board of education or the board of public school trustees, as the case may be, and shall be payable by the treasurer of the board.

Grant to City Inspectorate towards salary.

- (3) Out of such moneys as may be appropriated for that purpose the Treasurer of Ontario shall annually in the month of December pay to the board of a city inspectorate the sum of \$6 for every teacher occupying a separate room with a separate register and the amount so paid shall be applied towards the payment of the salary of the inspector.

Rev. Stat., c. 325, s. 126, amended.

- 11.** Section 126 of *The Public Schools Act* is amended by striking out the words "and the county council in the case of a county inspector," in the fifth and sixth lines.

Rev. Stat., c. 325, s. 6, repealed.

- 12.** Section 6 of *The Continuation Schools Act* is repealed and the following substituted therefor:

Where continuation schools not to be established.

6. A continuation school shall not be established or maintained in any part of a high school district established in accordance with the provisions of section 6 of *The High Schools Act*, nor shall such school be established or maintained in a city or separated town in which a high school has been established in accordance with the provisions of section 7 of the same Act.

Rev. Stat., c. 325, s. 7, subs. 2, (1929, c. 84, s. 6), amended.

- 13.** Subsection 2 of section 7 of *The Continuation Schools Act* is amended by striking out the words added by section 6 of *The School Law Amendment Act, 1929*, and by adding to the said subsection the following clause:

County grant.

- (bb) There shall be paid also by the county to a continuation school established in an incorporated town or village or in a consolidated school district the share of the cost of the education of county pupils which the area which constitutes a continuation school district of an incorporated town or village or a consolidated school district which maintains a continuation school paid to the county during the preceding year, as included in the rates levied by the county council according to the relative equalized value, but for the purposes of this clause the cost of education of county pupils shall not be deemed to include any sum paid by a high school district to a board of high or continuation school trustees or a board of education in any other county or in any city or separated town in the same or any other county on account of the attendance of pupils who are resident in the county of which this high school district is a part at schools in other counties, cities or separated towns, or on account of the attendance of pupils resident within the high school district at other high schools within the county.

Cost of education of county pupils, what to include.

**14.**—(1) Section 6 of *The High Schools Act* is amended by adding thereto the following subsection: Rev. Stat., c. 326, s. 6, amended.

(1a) The clerk of the municipality shall call the first meeting of a newly organized high school board. Calling first meeting of new board.

(2) Subsections 3, 4 and 4a of the said section 6 of *The High Schools Act* are repealed and the following substituted therefor: High school boards in the provisional judicial districts.

(3) In a provisional judicial district the council of a township may by by-law with the approval of the Minister, establish the township as a high school district.

(a) The board of trustees shall be composed of six members who shall be appointed by the council of the township;

(b) Two of the trustees so appointed shall be appointed in the first instance for three years, two for two years, and two for one year, and thereafter two trustees shall be appointed in each year to hold office for three years in place of those whose term has expired.

**15.** Section 25 of *The High Schools Act* is amended by striking out the words "to be given upon the recommendation of the high school inspector" in the first and second lines, and by inserting the words "or vocational school" after the word "institute" in the fourth line, and the words "or vocational" after the word "high" in the fifth line, so that the section will now read as follows: Rev. Stat., c. 326, s. 25, amended.

25. With the approval of the Minister, the board may arrange for the instruction at a high school or collegiate institute or vocational school in any other high school district in Ontario, of pupils who desire to take high or vocational school courses which are not provided by the board, and who are the children of ratepayers in the high school district for which the board is appointed, and may pay the fees and transportation expenses of such pupils while attending such courses. Providing for scholars attendance at other schools.

**16.**—(1) Subsection 2 of section 35 of *The High Schools Act* is amended by striking out the following words, "and to the resulting amount there shall be added the share of the cost of education of county pupils which the area which constitutes the high school district paid to the county during the preceding year as included in the rates levied by the county council, according to the relative equalized value, and the total amount so ascertained shall be the sum payable by the council to the board." Rev. Stat., c. 326, s. 35, subs. 2, amended.

Cost of education of county pupils.

Rev. Stat.,  
c. 326, s. 35,  
amended.

(2) Section 35 of *The High Schools Act* is further amended by adding thereto the following subsection (2a):

County  
grant.

(2a) There shall be paid also by the county to the high school board the share of the cost of education of county pupils which the high school district which maintains the high school paid to the county during the preceding year as included in the rates levied by the county council according to the relative equalized value and the total amount so ascertained shall be the sum payable by the council to the board; but for the purposes of this subsection the cost of education of county pupils shall not be deemed to include any sum paid by a high school district to a board of high or continuation school trustees or a board of education in any other county or in any city or separated town in the same or any other county on account of the attendance of pupils who are resident in the county of which this high school district is a part at schools in other counties, cities or separated towns, or on account of the attendance of pupils resident within the high school district at other high schools within the county.

Rev. Stat.,  
c. 326, s. 49,  
subs. 1, cl. c,  
amended.

17. The clause lettered *c* in subsection 1 of section 49 of *The High Schools Act* is amended by striking out the word "provincial" in the first line, and inserting in lieu thereof the word "permanent", so that the clause will now read as follows:

Qual-  
ification of  
teachers.

(c) a permanent second-class certificate, and has had three years' experience as a teacher.

Rev. Stat.,  
c. 327, s. 11,  
repealed.

18. Section 11 of *The Boards of Education Act* is repealed.

Rev. Stat.,  
c. 327,  
amended.

19. *The Boards of Education Act* is amended by adding thereto the following section:

Appropri-  
ation of  
property for  
purposes of  
board.

24. To remove doubts it is declared that a board of education may appropriate any property acquired by it or in its possession or control for any of the purposes of the board but where public school property is appropriated for high school purposes the public school shall be credited with the value of the property so appropriated and where high school property is appropriated for public school purposes the high school shall be credited with the value of the property so appropriated.

Rev. Stat.,  
c. 328, s. 44,  
cl. f,  
amended.

20. The clause lettered *f* in section 44 of *The Separate Schools Act* is amended by adding thereto the following words: "and such monies shall be paid to the board on the warrant of the proper inspector."

**21.** Subsection 4 (and its clauses *a* and *b*) of section 5 of *The Teachers' and Inspectors' Superannuation Act* are repealed Rev. Stat., c. 331, s. 5, subs. 4, repealed. and the following substituted therefor:

- (4) Every teacher and inspector who has been employed Retire- for at least fifteen years and who makes application ment on to the Minister for an annual allowance under this account of Act and produces the certificate of a legally qualified disability in medical practitioner designated by the Minister other cases. which certificate is verified by an official medical referee appointed by the Minister, that he became incapacitated while employed and suffers from a physical disability which totally and permanently incapacitates him from further employment, shall be entitled to the annual allowance provided by subsection 1.
- (4a) Every teacher and inspector who has been employed Retire- for at least fifteen years and who makes application ment on to the Minister for an annual allowance under this account of Act and who produces the certificate of a legally disability in qualified medical practitioner designated by the other cases. Minister which certificate is verified by an official medical referee appointed by the Minister, that while employed he has become physically incapacitated from employment may be granted an annual allowance actuarially equivalent to that provided in the case of a teacher or inspector retiring after thirty-nine years of employment, having regard to the difference in length of employment and the earlier age at which the allowance becomes payable, but no such allowance shall be less than \$240 per annum, with an additional \$10 over and above that amount for each year by which the age of the applicant exceeds sixty years.
- (4b) The certificate of the legally qualified medical Medical practitioner shall state whether or not the disability certificate. is likely to be permanent and whether or not there is any prospect of the teacher or inspector becoming again capable of employment.
- (4c) The Commission may require a teacher or inspector Further who has been granted an annual allowance under evidence as subsection 4 or 4a to furnish such evidence from time to condition. to time of his physical condition as the regulations may prescribe.

**22.** Section 6 of *The Teachers' and Inspectors' Super-* Rev. Stat., c. 331, s. 6, amended. *annuation Act* is amended by inserting before the commencement thereof the words "subject to the regulations," and also by inserting after the words "per annum" in the fifth line, the words "compounded half-yearly," so that the section will now read as follows:



Return  
of contribu-  
tions on  
retirement  
after five  
years'  
service.

6. Subject to the regulations, a teacher or inspector withdrawing from the profession after having been employed for at least five years shall be entitled to receive the whole of his contributions made to the fund together with interest thereon at the rate of four per centum per annum compounded half-yearly from the date of his retirement.

Rev. Stat.,  
c. 332, s. 2,  
amended.

**23.** Section 2 of *The School Attendance Act* is amended by inserting after the word "resides" in the third line the words "or the school which he is required or entitled to attend," so that the section will now read as follows:

School  
attendance  
required.

- (2) Every child between eight and fourteen years of age shall attend school for the full term during which the school of the section or municipality in which he resides or the school which he is required or entitled to attend is open each year, unless excused for the reasons hereinafter mentioned.

Rev. Stat.,  
c. 332, s. 4,  
subs. 1,  
amended.

**24.**—(1) Subsection 1 of section 4 of *The School Attendance Act* is amended by adding thereto the following clause:

Excused  
from attend-  
ance.

- (h) the child is officially excluded from attendance at school under any provisions of the school laws or regulations.

Blind  
and deaf  
pupils.

(2) The said section 4 is further amended by adding to subsection 2 thereof the following words: "and, in case of need, his fitness shall be determined by a committee to be appointed by the Minister," so that the subsection will now read as follows:

- (2) The fact that a child is blind or deaf shall not be deemed an unavoidable cause within the meaning of clause *b* of section 1 if the child is a fit subject for admission to the Ontario School for the Blind or the Ontario School for the Deaf, and, in case of need, his fitness shall be determined by a committee to be appointed by the Minister.

Rev. Stat.,  
c. 332, s. 5,  
subs. 2,  
repealed.

**25.** Subsection 2 of section 5 of *The School Attendance Act* is repealed and the following substituted therefor:

Certificate  
relieving  
from attend-  
ance during  
employment.

- (2) Where in the opinion of the school attendance officer the services of a child under the age of fourteen years are required in husbandry, or in urgent and necessary household duties, or for the necessary maintenance of such child or of some person dependent upon him, the school attendance officer may, by certificate setting forth the reasons therefor, relieve such child

from



from attending school for any period not exceeding six weeks out of each school term so long as such child is required in any occupation stated in the certificate.

**26.**—(1) Subsection 1 of section 8 of *The School Attendance Act* is amended by adding thereto the following words: Rev. Stat., c. 332, s. 8, subs. 1, amended.

“but two or more of the said school corporations may appoint the same attendance officer or officers, if, in the judgment of the Minister, the interests of economy and efficiency may be better served thereby. The appointment or re-appointment of a school attendance officer shall be made by the appointing body not later than the last meeting for the year, and any vacancy created by resignation or otherwise shall be filled by the said body at the earliest possible time after the vacancy occurs.” Appointment of school attendance officers.

so that the subsection will now read as follows:

- (1) The board of education or public school board, high school board and separate school board in every urban municipality shall appoint a school attendance officer or two or more school attendance officers for the enforcement of this Act, but two or more of the said school corporations may appoint the same attendance officer or officers, if, in the judgment of the Minister, the interests of economy and efficiency may be better served thereby. The appointment or re-appointment of a school attendance officer shall be made by the appointing body not later than the last meeting for the year, and any vacancy created by resignation or otherwise shall be filled by the said body at the earliest possible time after the vacancy occurs.

(2) Subsection 4 of the said section 8 is repealed and the following substituted therefor: Rev. Stat., c. 332, s. 8, subs. 4, repealed.

- (4) A board of public school trustees or a board of separate school trustees may appoint a school attendance officer or school attendance officers,— In unsurveyed or unorganized territory.

- (a) for any school or schools over which they have charge in unsurveyed territory or in territory without municipal organization;

- (b) for any public or separate school in the Province in which not fewer than five teachers are employed.

Rev. Stat.,  
c. 332, s. 8,  
subs. 7,  
amended.

(3) Subsection 7 of the said section 8 is amended by inserting after the word "given" in the second line the words "in writing," and by adding at the end thereof the following words, "and to the public and separate school inspectors," so that the subsection will now read as follows:

Notice of  
appointment  
of attend-  
ance officer.

(7) Notice of every appointment made under this section shall be given in writing by the appointing body to the provincial school attendance officer and to the inspector, and in case of an appointment by the council of the township, to every public and separate school board of the township, and to the public and separate school inspectors.

Rev. Stat.,  
c. 332, s. 13,  
subs. 1,  
repealed.

**27.** Subsection 1 of section 13 of *The School Attendance Act* is repealed and the following substituted therefor:

Report  
of teacher  
on non-  
attendance.

(1) The teacher or principal of every public, separate, high or vocational school shall report to the school attendance officer in charge of the school at such times and in such manner as is required by the regulations in that behalf, the names, ages, and residences of all pupils of school age who have not attended school as required by this Act, together with such other information as the school attendance officer may require for the enforcement of this Act.

Rev. Stat.,  
c. 332, s. 16,  
repealed.

**28.** Section 16 of *The School Attendance Act* is repealed and the following substituted therefor:

Penalties,  
recovery and  
application  
of.

16. The penalties imposed by this Act shall be recoverable under *The Summary Convictions Act* and the moneys accruing from said penalties shall be handed to the board of education or the board of trustees of the school of which the person penalized is a supporter, to be applied to school purposes.

Rev. Stat.,  
c. 337, s. 30,  
subs. 1,  
amended.

**29.** Subsection 1 of section 30 of *The University Act* is amended by striking out the figures 2,000,000 in the seventh line, and inserting in lieu thereof the figures 4,000,000, so that the subsection will now read as follows:

Borrowing  
powers.

(1) In order to enable the board to provide for the purchase of such land, and the erection of such buildings as from time to time may be necessary for the purposes of the University and University College, including additions to, improvements of, and equipment for buildings now or hereafter erected the board may from time to time borrow such sums not exceeding in the whole \$4,000,000, as may be

necessary for such purposes, and may make and execute such instruments as may be deemed requisite for securing payment of the sums so borrowed, and the interest thereon.

**30.** Subsection 4 of section 30 of *The University Act* is amended by striking out the figures 2,000,000 in the fourth line, and inserting in lieu thereof the figures 4,000,000, so that the subsection will now read as follows: Rev. Stat., c. 337, s. 30, subs. 4, amended.

- (4) The power of borrowing hereby conferred shall be a continuing one, and shall include the power of re-borrowing, but the amount of the principal money at any time owing shall not exceed in the whole \$4,000,000. Borrowing powers exercisable from time to time.

**31.** Subsection 3 of section 5 of *The School Sites Act*, 1928, c. 54, s. 5, subs. 3, 1928, is amended by striking out the word "two" in the second line, and inserting in lieu thereof the word "five," so that the subsection will now read as follows: 1928, c. 54, s. 5, subs. 3, amended.

- (3) This section shall not apply to that part of a township which lies within five miles from the limits of a city having a population of over 100,000. Restrictions as to site.

## CHAPTER 64.

## An Act respecting Vocational Education.

*Assented to 3rd April, 1930.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:

**Short title.**      **1.** This Act may be cited as *The Vocational Education Act, 1930.*

**Interpreta-  
tion.**            **2.** In this Act,—

**"Board."**            (a) "Board" shall mean and include a board of education, a board of high school trustees, and a continuation school board;

**"Minister."**        (b) "Minister" shall mean Minister of Education;

**"Regu-  
lations."**            (c) "Regulations" shall mean regulations made under the authority of *The Department of Education Act* or of this Act. R.S.O. 1927, c. 334, s. 1.

## PART I.

## VOCATIONAL SCHOOLS ESTABLISHED BY BOARDS.

**Application  
of Act.**            **3.** This Part shall apply to all art, industrial and technical schools and courses, heretofore established under Acts of this Legislature respecting high schools and technical schools and in operation at the time of the passing of *The Industrial Education Act*; to the industrial and art schools and courses and to the technical, the agricultural, and the commercial high schools and high school courses heretofore established under *The Industrial Education Act* and under the regulations; and to the vocational schools and departments hereafter established under this Part. R.S.O. 1927, c. 334, s. 2.

4. With the approval of the Minister, a high school board, a board of education, or a continuation school board of any municipality or school section may provide for duly admitted pupils in the following classes of vocational schools:

Classes of schools which may be established.

- (1) Industrial schools and departments.
- (2) Home-making schools and departments.
- (3) Art schools and departments.
- (4) Technical high schools and departments.
- (5) Agricultural high schools and departments.
- (6) Commercial high schools and departments.

R.S.O. 1927, c. 334, s. 3.

5. Subject to the regulations or with the approval of the Minister, courses of instruction in the vocational schools provided for in this Part may include:

Vocational Schools.

- (a) General full-time day school courses of instruction.
- (b) Special full-time day school courses of instruction.
- (c) Part-time day school courses of instruction.
- (d) Evening school courses of instruction.

R.S.O. 1927, c. 334, s. 5.

6.—(1) Pupils who may be duly admitted under the regulations to a day high school may be admitted to any of the vocational schools or departments provided for in this Part.

Admission of pupils to vocational schools.

(2) For admission to a general full-time day course of instruction in a commercial or a technical high school or department, applicants shall hold certificates qualifying them for admission to a day high school.

Certificate, when required.

(3) Subject to the regulations and on the report of the principal approved by the Advisory Committee, pupils of at least the standing of the fourth form of the public and separate schools may be admitted to

Report of Principal.

- (a) a general, special, or part-time course of instruction in an industrial, home-making, or art school or department;
- (b) a general, special, or part-time course of instruction in an agricultural high school or department;
- (c) a special or a part-time course of instruction in a commercial or technical high school or department.

(4)

Workmen  
and  
workwomen  
employed  
by day.

(4) Workmen or workwomen employed during the day may be admitted to a vocational evening school or course subject to the regulations and on the report of the principal, approved by the advisory vocational committee, that they are competent to receive instruction therein.

Admission  
of pupils  
from  
auxiliary  
training  
classes.

(5) Subject to the regulations, pupils of thirteen years of age and over, who have been in attendance in auxiliary training classes, or who are eligible for admission to such classes, may, with the approval of the Minister and upon an examination conducted subject to his direction, be admitted to special industrial classes established by a board for the purpose of giving vocational instruction to such pupils where it is found that they may be benefited by it. *See* R.S.O. 1927, c. 334, s. 5.

Outside  
students.

(6) With the approval of the Minister, the board may arrange for the instruction in any school controlled by a high school board, continuation school board or board of education in Ontario, of pupils who desire to take courses which are not provided by the board, and who are the children of ratepayers in the school district for which the board is appointed, and may pay the fees and transportation expenses of such pupils while attending such courses.

Fees.

(7) No fees shall be payable by pupils who, under the provisions of this Act, have a right to attend a vocational school for instruction in the following courses of study:—

(a) General or special full-time day school courses;

(b) Part-time special courses for apprentices and employed adolescents.

Appoint-  
ment and  
jurisdiction  
of  
committee.

7. Where, in accordance with the regulations, one or more schools or departments to which this Part applies have been, or may hereafter be established by a board, the said schools or departments shall be under the management and control of an advisory vocational committee appointed by the board. R.S.O. 1927, c. 334, s. 6, *part.*

Advisory  
Vocational  
Committee,  
how  
composed.

8. The advisory vocational committee provided for in section 7 shall be composed of eight or twelve persons, as the board may direct, the members of which shall be appointed by the board as follows:

(1) When the number of persons is eight:

(a) Four members of the board, including one representative of the board of public school trustees and one representative of the board of separate school trustees, if any; and where a board of education is established, four members of the board, one of whom shall be a representative of the separate school board;

(b)

- (b) Two persons, not members of the board, who are engaged as employees in the manufacturing, agricultural, commercial, or other industries carried on in the local municipality or in the county or district in which the school is situate; and
- (c) Two other persons, not members of the board, who are employers of labour or directors of companies employing labour in manufacturing, agricultural, commercial, or other industries carried on in the local municipality or in the county or district in which the school is situate.

(2) When the number of persons is twelve:

- (a) Six members of the board, including one representative of the board of public school trustees and one representative of the board of separate school trustees, if any; and where a board of education is established, six members of the board, one of whom shall be a representative of the separate school board;
- (b) Three persons, not members of the board, who are engaged as employees in the manufacturing, agricultural, commercial, or other industries carried on in the local municipality or in the county or district in which the school is situate; and
- (c) Three other persons not members of the board, who are employers of labour or directors of companies employing labour in manufacturing, agricultural, commercial, or other industries carried on in the local municipality or in the county or district in which the school is situate. *See R.S.O. 1927, c. 334, s. 7.*

9. Where a board of education has been established and the board of separate school trustees has not appointed a member of such board the board of education shall appoint from among its members a representative or representatives to complete the number of representatives of the board on the advisory committee constituted under section 8 and the member so elected shall hold office until the expiry of the period for which he was elected or appointed to the board of education. R.S.O. 1927, c. 334, s. 8.

Case where  
separate  
school not  
represented  
on board of  
education.



Appointment of members of committee.

**10.**—(1) The first members of the advisory committee shall be appointed at the meeting of the board at which a school or department is established for which the advisory committee is to be appointed under this Part.

Tenure of office of members who are members of board.

(2) The members appointed under clause *a* of subsection 1 or in subsection 2 of section 8 shall hold office until the expiry of the period for which they were elected or appointed to the board.

Tenure of office of other members.

(3) The term for which the other members of the committee shall respectively hold office shall be fixed by the board but shall not exceed three years.

Filling vacancies caused by retirement.

(4) The board, at its first meeting in each year after the establishment of the school or department, shall appoint a sufficient number of members from each class to fill the vacancies caused by the expiry of the term of office of members appointed from that class.

Filling other vacancies.

(5) Every vacancy upon a committee occasioned by death, removal or other cause shall be filled by the appointment by the board of some person from the class in which the vacancy occurs, and every person so appointed shall hold office for the unexpired portion of the term of the member whose seat has become vacant.

Quorum.

(6) The presence of a majority of the members constituting a committee shall be a quorum at any meeting, and a vote of the majority of such quorum shall be necessary to bind a committee.

Chairman voting.

(7) On every question other than the election of a chairman the chairman or presiding officer of the committee may vote with the other members of the committee, and any question on which there is an equality of votes shall be deemed to be negatived. *See* R.S.O. 1927, c. 334, s. 9.

Co-opted members.

**11.**—(1) The advisory committee may, at a meeting which has been specially called for that purpose and of which notice has been given in writing to all the members, appoint such additional members, hereinafter called co-opted members, as it may deem advisable, and members of the board may be so appointed; but an equal number of the persons so appointed shall be chosen from each of the classes mentioned in clauses *b* and *c* of subsection 1 and in subsection 2 of section 8.

Tenure of office.

(2) The term for which co-opted members of the committee shall respectively hold office shall be fixed by the committee, but shall not exceed three years. *See* R.S.O. 1927, c. 334, s. 10.



**12.** The members of the advisory committee appointed under this Part, including co-opted members, shall be British subjects, and shall be persons who, in the judgment of the board, are specially competent to give advice and other assistance in the management of the school or department under the charge of the committee. *See* R.S.O. 1927, c. 334, s. 11.

Qualifications of members.

**13.**—(1) Subject to the approval of the Minister and the board, the advisory committee shall have authority to provide a suitable site and building and suitable equipment or to arrange for conducting the school or department in a high, public, separate or continuation school building or other building in the municipality, and to prescribe courses of study and provide for examinations and diplomas.

Powers of committee subject to approval of Minister and board.

(2) Subject to the approval of the board, the committee shall employ teachers and fix their salaries, report on every school or department under its charge, fix the fees payable by pupils in attendance, submit annually to the board at such date as the board may prescribe an estimate of the amount required to carry on the work of the school or department during the year, and generally do all other things necessary for carrying out the objects and intent of this Part with respect to any school or department under its management and control.

Powers subject to approval of board.

(3) The board shall not refuse its approval of any report of the advisory committee without having given the committee an opportunity to be heard before the board and before any committee thereof to which such report may be referred by the chairman of the advisory committee or by another member of the advisory committee appointed for that purpose.

When approval withheld.

(4) The secretary and other officers of the board shall be the officers of the advisory committee.

Officers of the committee.

(5) Subject to the approval of the Minister the advisory committee may appoint one or more officers with qualifications approved by the Minister to bring to the attention of employers and employees the work of the schools or departments, and to make the necessary arrangements between employers, employees, and the schools or departments for the conduct of part-time or co-operative classes, and, in general, to act as a co-ordinating officer between the local industries and the schools or departments, and every such person so appointed shall be subject to the control of the advisory committee. *See* R.S.O. 1927, c. 334, s. 12.

Appointment of co-ordinating officers.

(6) Subject to the approval of the Minister, the advisory committee may appoint one or more officers qualified accord-

Appointment of Vocational Guidance Officers.

ing

ing to the regulations to collect and distribute information regarding available occupations and employments, and to offer such counsel to the pupils of the schools under the charge of the advisory committee as will enable them to plan intelligently for their vocational and educational advancement, and every person so appointed shall be subject to the control of the advisory committee. See 1929, c. 84, s. 14.

Appoint-  
ment of  
Supervising  
Principal.

(7) Subject to the approval of the Minister and the board, the advisory committee may appoint a supervising principal with qualifications approved by the Minister.

Cost of  
establishing,  
equipping  
and main-  
taining a  
school.

**14.**—(1) Subject to the regulations the estimates of the committee of the cost of establishing, equipping and maintaining the school or department under its management and control, when and so far as they have been approved by the board, shall be included in the estimates of the board submitted to the council of the municipality for the year.

How  
provided.

(2) Subject to the regulations, the cost of establishing, equipping, furnishing, and maintaining, and of making additions, alterations or permanent improvements to every school established under section 4 or under *The Industrial Education Act*, being chapter 79 of the Acts passed in the 1st year of the reign of His Majesty King George the Fifth, shall be provided for in the same manner as in the case of a high school. See R.S.O. 1927, c. 334, s. 13.

County  
council's  
grant for  
county  
pupils.

(3) Grants towards the cost of education of county pupils, as defined in section 1 of *The High Schools Act*, in attendance at vocational schools or departments shall be made by county councils in the same manner as in the case of such pupils in attendance at high schools. 1929, c. 84, s. 15.

Apportion-  
ment of  
legislative  
grant.

**15.** Subject to the regulations the Minister shall apportion all sums of money appropriated by this Legislature for the establishment and maintenance of schools or departments to which this Part applies. R.S.O. 1927, c. 334, s. 14.

Regulations.

**16.** The regulations may provide as to any class of schools or departments for the qualifications of teachers, the courses of study, the character of the site, accommodations, and equipment, the maximum and minimum fees that may be charged to pupils, and generally as to any matter relating to the conduct and efficiency of the schools and departments not herein expressly provided for. R.S.O. 1927, c. 334, s. 15.

Establishing  
evening  
courses in  
other  
centres.

**17.** Subject to the approval of the Minister the advisory committee may also establish and conduct special evening

courses

courses in any centre in the county outside of the district over which it has jurisdiction. R.S.O. 1927, c. 334, s. 17.

## PART II.

### PROVINCIAL TECHNICAL SCHOOLS.

**18.** The Minister, with the approval of the Lieutenant-Governor in Council, may establish, maintain, conduct and <sup>Authority to establish schools.</sup> control schools for technical training required in any branches of the industry or may enter into an agreement with any organization in the interest of any branch of industry for that purpose. R.S.O. 1927, c. 334, s. 18.

**19.** The cost of establishing and maintaining a school <sup>Cost, how borne</sup> established under this Part shall be borne and paid out of moneys appropriated by this Legislature or received from the Dominion Government for the purposes of technical education and out of any moneys contributed by any organization under an agreement made in pursuance of section 18 or under the regulations. R.S.O. 1927, c. 334, s. 19.

**20.** Every school established under this Part shall be <sup>Board.</sup> maintained and conducted by a board to be appointed or elected in the manner provided by the regulations, and such regulations may provide for the representation upon the board of any organization of employers or employees in the particular branch of industry for which the school is established. R.S.O. 1927, c. 334, s. 20.

**21.** The Minister, with the approval of the Lieutenant-Governor in Council, may make regulations <sup>Regulations.</sup> for the establishment, organization, government, courses of study and examination of technical schools established under this Part, and generally the Minister and the Lieutenant-Governor in Council shall have and may exercise with respect to any such school the powers conferred by *The Department of Education Act* <sup>Rev. Stat., c. 322.</sup> with respect to technical schools. R.S.O. 1927, c. 334, s. 21.

**22.** *The Vocational Education Act*, being chapter 334 of <sup>Repeal.</sup> the Revised Statutes of Ontario, 1927, is hereby repealed.

**23.** This Act shall come into force on the 1st day of July, <sup>Commencement of Act.</sup> 1930.

## CHAPTER 65.

## The University Lands Act, 1930.

*Assented to 3rd April, 1930.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The University Lands Act, 1930.*

Lands in  
and about  
Queen's  
Park  
vested in  
Crown.

**2.** The lands described as follows, namely:

All and singular, that certain parcel or tract of land and premises, situate, lying and being in the city of Toronto, in the county of York and Province of Ontario, containing by admeasurement, one and seven-tenths (1.7) acres, be the same more or less and being composed of part of lot number 35, the whole of lot number 36 and part of lot number 37, lying south of and bounded by the southerly limit of St. Joseph Street, according to plan number D-178, registered in the Registry Office for the city of Toronto, which said parcel may be more conveniently known and described as follows:

Commencing at a point in the easterly limit of Queen's Park Drive, distant ninety (90) feet measured southerly thereon, from the northwest angle of lot number 35; thence northerly along the easterly limit of Queen's Park Drive, two hundred and eighty-one (281) feet, more or less, to a point nine (9) feet south of the northwest angle of lot number 37 and which point is also in the southerly limit of St. Joseph Street; thence easterly along the said southerly limit of St. Joseph Street, two hundred and sixty-four (264) feet, more or less to the easterly limit of lot number 37; thence southerly along the easterly limit of part of lot number 37, lot number 36 and part of lot number 35, two hundred and eighty-one (281) feet more or less to a point ninety (90) feet south of the

northerly

northerly limit of lot number 35; and thence westerly and parallel to the northerly limit of lot number 35, two hundred and sixty-four (264) feet more or less to the place of beginning,

are hereby vested in His Majesty the King in the right of the Province of Ontario for the general purposes of the Province, free from all covenants, conditions, restrictions, liens, charges and encumbrances whatsoever.

**3.** The Treasurer of Ontario is authorized to pay to the <sup>Payment to</sup> Governors of the University of Toronto out of the Consolidated <sup>University</sup> Revenue Fund, the sum of \$75,000. <sup>authorized.</sup>

**4.** This Act shall come into force on the day upon which <sup>Commence-</sup> it receives the Royal Assent. <sup>ment of Act.</sup>

## CHAPTER 66.

## An Act to amend The Hospitals for the Insane Act.

*Assented to 3rd April, 1930.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

**1.** This Act may be cited as *The Hospitals for the Insane Act, 1930.*

Rev. Stat.,  
c. 353, ss. 40,  
41, 42, and  
43, repealed.

**2.** Sections 40, 41, 42 and 43 of *The Hospitals for the Insane Act* are repealed and the following substituted therefor:

Powers  
and duties  
of Public  
Trustee.

**40.** The Public Trustee as statutory committee of any such patient shall have and may exercise all the rights and powers with regard to the estate of the patient that such patient would have if of full age and of sound and disposing mind.

Rev. Stat.,  
c. 353, s. 52,  
repealed.

**3.** Section 52 of *The Hospitals for the Insane Act* is repealed and the following substituted therefor:

Maintenance  
of patient  
and depen-  
dants,

**52.** The Public Trustee shall, out of the money in his hands belonging to a patient for whom he is statutory committee, pay the proper charges for his maintenance in the hospital in which he is confined, and he may also pay such sums as he may deem advisable to the family of such patient or other person dependent upon him, and the payments for the maintenance of the family and other dependants may be made notwithstanding that such payments may prevent the payment of maintenance which otherwise would be due from the patient.

Rev. Stat.,  
c. 353, s. 53,  
repealed.

**4.** Section 53 of *The Hospitals for the Insane Act* is repealed.

Rev. Stat.,  
c. 353, s. 54,  
repealed.

**5.** Section 54 of *The Hospitals for the Insane Act* is repealed and the following substituted therefor:

54. If there is any money in court to the credit of a patient the same may be paid out to the Public Trustee upon his application. <sup>Payment of money out of court.</sup>

6. This Act shall come into force on the day upon which it receives the Royal Assent. <sup>Commencement of Act.</sup>

## CHAPTER 67.

## An Act respecting the Town of Almonte.

*Assented to 3rd April, 1930.*

Preamble.

**W**HEREAS the corporation of the town of Almonte has by its petition represented that the said corporation has incurred a floating debt of \$11,500, the largest part of which is for works of a permanent character which if paid out of current revenue would be unduly burdensome and oppressive on the ratepayers of the said corporation; and whereas the said corporation has by its petition further represented that it is expedient to raise the sum of thirty-five thousand dollars for the construction of permanent pavements in the said town during the years 1930, 1931, 1932, 1933 and 1934, similar to the county connecting link pavement constructed by the county of Lanark in the said town, in such a manner that not over ten thousand dollars will be expended for said work in any one of said years and to provide for the said plan of permanent pavements out of current revenue would be unfair and unduly burdensome and oppressive on the ratepayers of the said corporation; and whereas the said corporation of the town of Almonte has by its petition prayed that it should be enacted as hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

**1.** This Act may be cited as *The Town of Almonte Act, 1930.*

Floating  
debt  
consolidated  
at \$11,500.

**2.** The floating debt of the corporation of the town of Almonte is consolidated at the sum of \$11,500 and the said corporation may borrow by a special issue of debentures a sum not exceeding \$11,500 for the purpose of paying the said floating debt which debentures shall be made payable in not more than twenty years from the date of issue thereof.

Debentures,  
rate of  
interest.

**3.** The said debentures shall be in sums of not less than \$100 each, and shall bear interest at a rate not exceeding five per centum per annum and may be issued either with or

without



without coupons attached thereto for interest and shall be payable at such place or places as the corporation may deem expedient.

4. The said debentures shall be payable in equal annual instalments of principal and interest in such manner and of such amounts that the amount payable for principal and interest in any year shall be equal as nearly as may be to what is payable for principal and interest during each of the other years of the periods for which the debentures are to run.

Equal  
annual  
instalments  
of principal  
and interest.

5. The said corporation shall levy in each year during the periods within which the said debentures are to run, in addition to all other rates, special rates sufficient to produce and pay the annual instalments of principal and interest falling due upon the said debentures.

Special  
rates.

6. The debentures to be issued under the authority of section 2 of this Act and all moneys arising from the sale thereof shall be applied in payment of the said floating debt.

Application  
of proceeds  
of  
debentures.

7. It shall not be necessary to obtain the assent of the electors of the town of Almonte to the passing of any by-law which shall be passed under the authority of this Act, or to observe the formalities in relation thereto prescribed by *The Municipal Act*.

Assent of  
electors not  
required.

Rev. Stat.  
c. 233.

8. No irregularity in the form of the said debentures or any of them, or of any by-law authorizing the issue thereof, shall render the same invalid or illegal, or be allowed as a defence to any action brought against the said corporation for the recovery of the said debentures or interest or any part thereof; and the purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such by-law or issuing debentures or as to the application of the proceeds thereof.

Irregularity  
in form  
not to  
invalidate.

9. It shall be the duty of the treasurer, for the time being, of the said town, to keep, and it shall be the duty of each of the members, from time to time, of the council to procure such treasurer to keep, and see that he does keep, a proper book of account, setting forth a full and particular statement, so that the same shall at all times show the number of debentures which from time to time shall be issued under the powers conferred by section 2 of this Act, and the respective amounts, payment of which is thereby secured, and the times at which the said debentures shall respectively become due and payable, and the several amounts which shall from time to time be realized from the sale or negotiations of the said debentures, and the application which shall from time to time be made of

Treasurer  
to keep  
proper  
books of  
account.

the said amounts and the said book of account and statement shall at all times, and at all reasonable hours, be open to the inspection of any ratepayer of the said town and of any of the holders, from time to time, of the debentures which shall be issued under the powers conferred by section 2 of this Act, or any of such debentures.

Power to  
borrow  
\$35,000 for  
permanent  
pavements.

**10.** For the purpose of constructing permanent pavements in the town during the years 1930, 1931, 1932, 1933 and 1934, similar to the county connecting link pavement constructed by the county of Lanark in the town, the corporation of the town of Almonte may without obtaining the assent of the electors pass a by-law in each of the said years to borrow by the issue of debentures payable within a period not exceeding twenty years from the date of issue a sum not exceeding \$10,000 to pay the cost of such pavements constructed in such year but the aggregate amount of the sums borrowed during all of the said years shall not exceed \$35,000.

Commence-  
ment of Act.

**11.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 68.

## An Act respecting the City of Chatham.

*Assented to 3rd April, 1930,*

**W**HEREAS the corporation of the city of Chatham <sup>Preamble.</sup> by its petition represented that the said city of Chatham has widened Lacroix Slip, a street in the said city, and for that purpose has acquired certain lands on the easterly side of Lacroix Slip and has built a retaining wall along the easterly side of said Lacroix Slip at a total cost of \$28,140.05; and that no by-law, as required by *The Local Improvement Act*, was <sup>Rev. Stat., c. 235.</sup> passed by the corporation prior to the undertaking of the said work; and whereas the said corporation has also by its petition represented that it is desirous of issuing debentures of the said corporation for a sum not exceeding \$30,000, extending for a period not exceeding twenty years from the date thereof and at a rate of interest not exceeding five per centum per annum, to provide funds for the payment of the said work; and whereas the said corporation has by its petition prayed that an Act may be passed for the above mentioned purposes; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The City of Chatham Act, 1930*. <sup>Short title.</sup>

2. The corporation of the city of Chatham may pass a <sup>Power to borrow</sup> by-law to borrow, and may borrow, a sum not exceeding <sup>\$30,000 for widening Lacroix Slip.</sup> \$30,000 and may issue debentures therefor for any period not exceeding twenty years from the date thereof, and at such rate of interest, not exceeding five per centum per annum, as the council of the corporation of the city of Chatham may determine, to provide moneys to pay for the widening and improving of a street known as Lacroix Slip in the city of Chatham, including the purchase of the land on the easterly side of the said Lacroix Slip and including also the cost of a retaining wall, without submitting the by-law to the electors of the said city for their assent.

Certain provisions of Rev. Stat., c. 233, not to apply.

**3.** It shall not be necessary for the said corporation to observe in respect of the said by-law the formalities prescribed by *The Municipal Act* in relation to the passing of money by-laws.

Irregularity in form not to invalidate.

**4.** No irregularity in the form of any of the debentures issued under the authority of this Act or in any by-law authorizing the issue thereof shall render the same invalid or be allowed as a defence to any action brought against the corporation of the city of Chatham for the recovery of the amount thereof or any part thereof or the interest thereon.

Commencement of Act.

**5.** This Act shall come into force on the day upon which it receives the Royal assent.

## CHAPTER 69.

An Act to authorize the City of Chatham to borrow on debentures the sum of \$200,000.

*Assented to 3rd April, 1930.*

**W**HEREAS the corporation of the city of Chatham has by its petition represented that the said city of Chatham has determined to reconstruct the bridge crossing the River Thames in the city of Chatham and commonly known as Fifth Street Bridge, at a total estimated cost of \$200,000; and whereas the said corporation has also, by its petition, represented that it is desirous of issuing debentures of the said corporation for a sum not exceeding \$200,000, extending for a period not exceeding 20 years from the date thereof, and at a rate of interest not exceeding five per centum per annum, to provide funds for the payment of the said work; and whereas the said corporation has, by its petition, prayed that an Act may be passed for the above mentioned purposes; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The City of Chatham Bridge Act*, Short title.  
1930.
2. The corporation of the city of Chatham may pass a by-law to borrow, and may borrow, a sum not exceeding \$200,000 and may issue debentures therefor payable within a period not exceeding 20 years from the date thereof, and at such rate of interest, not exceeding five per centum per annum, as the council of the corporation of the city of Chatham may determine to provide monies to pay for the reconstruction of the said bridge in the city of Chatham, without submitting the by-law to the electors of the said city for their assent.  
Power to borrow \$200,000 for reconstruction of Fifth Street Bridge.
3. It shall not be necessary for the said corporation to observe in respect of the said by-law the formalities prescribed by *The Municipal Act* in relation to the passing of money by-laws.  
Non-application of certain provisions of Rev. Stat. c. 233.
4. No irregularity in the form of any of the debentures issued under the authority of this Act or in any by-law author-  
Irregularity in form not to invalidate.

izing

izing the issue thereof shall render the same invalid or be allowed as a defence to any action brought against the corporation of the city of Chatham for the recovery of the amount thereof or any part thereof or the interest thereon.

Commence-  
ment of Act.

**5.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 70.

An Act to confirm By-law 1185 of the Township  
of Cornwall.*Assented to 3rd April, 1930.*

**W**HEREAS the municipal corporation of the township of <sup>Preamble.</sup> Cornwall, in the county of Stormont, has by its petition represented that on the seventh day of February, 1930, the said corporation passed its by-law number 1185 for the year 1930, being a by-law to provide for borrowing the sum of \$32,823.13, upon debentures to pay for a balance due for the cost of constructing certain local improvements, being pavements constructed by the said corporation upon highways situate within the boundaries of the said corporation; and whereas the said by-law number 1185, was passed in order to provide for raising a larger sum of money than was originally intended to be raised by the said corporation by its former by-law number 1146, for the year 1927, which provided for borrowing the sum of \$24,277.30, an amount which was \$8,545.23 less than the proper amount required for paying the cost of the said local improvements, the deficiency arising by reason of an error on the part of the said corporation in relying upon receiving from the Department of Highways of the Province of Ontario a grant in aid of the said corporation in constructing the said local improvements larger than the grant to which ultimately the said corporation was proved to be entitled; and whereas the said corporation by its said petition has represented that it is desirable and necessary that said by-law number 1185 for the year 1930, should be made valid, binding and effective upon the said corporation and upon all the ratepayers thereof affected thereby, and that all the rates and assessments to be imposed thereby, and the debentures to be issued in pursuance thereof and the proceedings generally to be had thereunder should be by Act of the Legislative Assembly made valid and binding and effective; and whereas the said corporation has by its petition prayed that an Act may be passed for such purposes; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title,

**1.** This Act may be cited as *The Township of Cornwall Debenture Act, 1930.*

By-law  
No. 1185,  
confirmed.

**2.** By-law number 1185 of the municipal corporation of the township of Cornwall, in the county of Stormont, for the year 1930, as set forth in schedule "A" to this Act and all debentures issued or to be issued thereunder are hereby ratified and confirmed and declared to be legal, valid and binding upon the said municipal corporation and the ratepayers thereof.

Commence-  
ment of  
Act.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent.



## SCHEDULE "A"

BY-LAW NUMBER 1185 OF THE TOWNSHIP OF CORNWALL, IN THE COUNTY OF STORMONT, FOR THE YEAR 1930.

A By-law to provide for borrowing the sum of \$32,823.13 upon debentures to pay for a balance due for the cost of construction of certain local improvements.

Whereas by its By-law Number 1146 for the year 1927, the Corporation of the Township of Cornwall did provide for borrowing the sum of \$24,277.30 upon debentures to pay for the cost of construction of certain local improvements, therein fully set forth;

And whereas in the preparation of the said By-law and in determining the amount there provided to be raised, the Corporation proceeded upon the assumption that the Department of Highways for the Province of Ontario would pay thirty per cent. of the cost of the construction of certain of the said local improvements being concrete pavements on Hazel Avenue, Hickory Street and Alice Street, and on McDougald Avenue and Sheffield Street, all in the said Township of Cornwall, the construction of which was authorized by By-law Number 1131 of the said Corporation;

And whereas afterwards and upon the completion of the said local improvements, the said Department of Highways, under *The Highway Improvement Act*, decided to pay the said Corporation a sum of money, \$8,545.83, less than the said Corporation relied upon in passing By-law number 1146 aforesaid.

And whereas consequently there is a deficiency in the sums to be realized by the said Corporation from the owners liable for the construction of the said local improvements, including the Corporation itself, for street intersections and otherwise, and from the said Department of Public Highways, and it is necessary that the said By-law Number 1146 should be repealed, and this By-law passed to provide for the raising of the full amount necessary for paying for the said local improvements.

And whereas it is necessary to borrow on the credit of the Corporation the sum of \$32,823.13, being the total amount required to be raised to pay for said works, including said deficiency in respect of the cost of the said local improvements, as hereinbefore set forth, and to issue debentures therefor, payable within twenty years from the date of the issue thereof and bearing interest at the rate of five and one-half per centum per annum, which is the amount of the debt intended to be created by this By-law;

And whereas it is expedient to make the principal of the said debt repayable in yearly sums during the period of twenty years from the date of the issue of the said debentures of such amounts respectively that the aggregate amount payable for principal and interest in any year shall be equal as nearly as may be, to the amount payable for principal and interest in each of the other years;

And whereas the total cost of the said works, the owners' proportion thereof and the Corporation's proportion thereof unprovided for, are shown in columns Four, Five and Six of Schedule "A," hereto attached.

And whereas the estimated lifetime of each of the said works is twenty two years;

And whereas it will be necessary to raise annually the sum of \$2,746.62, as shown in column Nine of the said Schedule during the period of Twenty years for the payment of the said yearly sums of principal and interest, as they become due, of which amount the sums shown in column Seven of the Schedule shall be raised annually for the payment of the owners' proportion of the said cost and interest thereon and the sum shown in

column

column Eight of the said Schedule shall be raised annually for the payment of the Corporation's proportion of the said cost and the interest thereon;

And whereas the value of the whole rateable property of the Municipality, according to the last revised Assessment Roll thereof, is \$5,815,585.00;

And whereas the amount of the existing debenture debt of the Corporation, exclusive of local improvement debts, secured by said rates or assessments is nil.

Therefore, the Municipal Corporation of the Township of Cornwall, enacts as follows:

(1) By-law No. 1146 of the Corporation of the Township of Cornwall for the year 1927, is hereby repealed.

(2) For the purposes hereinbefore set forth there shall be borrowed, on the credit of the Corporation at large, the sum of \$32,823.13, and debentures shall be issued therefor in sums of not less than \$50.00 each, bearing interest at the rate of five and one-half per centum per annum and having coupons attached thereto for the payment of the interest.

(3) The debentures shall all bear the same date and shall be issued within two years after the date on which this By-law is passed, and may bear any date within such two years and shall be payable in twenty annual instalments during the twenty years next after the time when the same are issued and the respective amounts of principal and interest, payable in each of said years, shall be in accordance with the statement appearing in Schedule "B" to this By-law, which together with Schedule "A" is hereby declared to be and form part of this By-law.

(4) The debentures, as to both principal and interest, may be payable at the office of the Treasurer of the Township of Cornwall.

(5) The Reeve of the Corporation shall sign and issue the debentures, and the said debentures and the interest coupons shall also be signed by the Treasurer of the Corporation, and the debentures shall be sealed with the seal of the Corporation.

(6) During twenty years, the currency of the debentures, there shall be raised annually for the payment of the owners' portion of the said cost and interest thereon the sums shown in column Seven of said Schedule "A," and for the payment of the Corporation's portion of the cost, and the interest thereon, there shall be raised annually the sums shown in column number Eight of said Schedule, making in all \$2,746.62, as shown in column number Nine of said Schedule "A," to be raised annually for the payment of the said debt and interest.

(7) For the payment of the owners' portion of the cost of each of said works, and the interest thereon, the special assessment set forth in the special assessment rolls, prepared for the said works, is hereby imposed upon the lands liable therefor, as therein set forth, which said special assessment, with a sum sufficient to cover interest thereon at the rate aforesaid, shall be payable in twenty equal annual instalments of \$1,562.07 each during twenty years, the currency of the debentures, as shown in column number Seven of said Schedule "A," and for that purpose the respective annual special rates per foot frontage, as shown in column number Eleven of said Schedule "A," are hereby imposed on the lands entered in the said special assessments rolls for each of the said works, according to the assessed frontage thereof, over and above all other rates and taxes, which said special rates shall be collected annually by the Collector of Taxes for the Corporation, at the same time and in the same manner as other rates.

(8) For the payment of the Corporation's portion of the cost of each of said works, and the interest thereon as aforesaid, there shall be levied and raised annually, a special rate sufficient therefor, over and above all other

rates

rates on all the rateable property in the Municipality at the same time and in the same manner as other rates.

(9) The debentures may contain any clause providing for the registration thereof authorized by any Statute relating to Municipal debentures in force at the time of the issue thereof.

(10) This By-law shall take effect on the day of the final passing thereof.

Read a first, second and third time in open Council and finally passed this Seventh day of February, A.D. 1930.

(Sgd.) W. A. MURRAY, *Reeve*.

[SEAL.]

(Sgd.) J. W. McLEOD, *Clerk*.

## Schedule "A"

## ATTACHED TO DEBENTURE BY-LAW No. 1185

## TOWNSHIP OF CORNWALL

1 STREET	2 FROM	3 TO	4 Total Cost Un- provided For	5 Owners' Portion	6 Cor- porations' Portion	Total Cost to be Raised Annually For			10 Frontage of Assessed Property in Feet	11 Annual Rate Per Foot Frontage Cents
						7 Owners' Portion	8 Cor- porations' Portion	9 Pay- ment of Debt		
1. Hazel Ave.....	Prov. Highway (Montreal Rd.)	South End of Ave	\$4,356 46	\$2,651 01	\$1,705 45	\$221 84	\$142 71	\$364 55	1,364	16.264
2. Hickory St.....	Prov. Highway (Montreal Rd.)	South End of St.	4,649 10	2,847 64	1,801 46	238 29	150 74	389 03	1,698½	14.030
3. Sheffield St., Mc- Dougall Ave. and Alice St.....	Marlborough St.	Prov. Highway (Montreal Rd.)	23,817 57	13,168 67	10,648 90	1,101 94	891 10	1,993 04	6,426½	17.147
	Totals.....		\$32,823 13	\$18,667 32	\$14,155 81	\$1,562 07	\$1,184 55	\$2,746 62		

## CHAPTER 71.

An Act to validate an Agreement between the  
Municipal Corporation of the Township of  
Cornwall and Fibre Conduits,  
Canada, Limited.

*Assented to 3rd April, 1930.*

**W**HEREAS the municipal corporation of the township of <sup>Preamble.</sup> Cornwall, in the county of Stormont, has by its petition represented that on the thirtieth day of September, 1929, the said corporation entered into an agreement with Fibre Conduits, Canada, Limited, a body corporate, having its head office at the city of Montreal, in the province of Quebec, whereby the said company agreed to establish within the municipal boundaries of the said corporation, a factory for the manufacture of fibre conduits, and whereby the said corporation agreed to fix the assessment of the lands and buildings of the said company at the sum of twenty-four hundred dollars for a period of ten years from the first day of January, 1930; and whereas under and by the said agreement the said company agreed to construct certain buildings, expend certain moneys, employ certain operatives and expend certain wages, which agreement is set out in schedule "A" hereto, and whereas the said corporation by its by-law number 1177 for the year 1929 as set out in schedule "B" hereto, did authorize and empower the reeve and clerk of the said corporation to execute the said agreement and attach the corporate seal thereto; and whereas the said corporation has by its petition represented that the establishment of the said industry within the corporate limits of the said corporation will be of great advantage to the said corporation; and whereas the said corporation has, by its said petition, prayed that an Act may be passed authorizing and making legal and binding the said by-law and the said agreement, and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Township of Cornwall Act*, <sup>Short title.</sup> 1930.

By-law 1177  
and agree-  
ment with  
Fibre  
Conduits,  
Canada,  
Limited,  
confirmed.

**2.**—(1) Subject to the provisions of subsection 2, by-law number 1177 of the municipal corporation of the township of Cornwall, county of Stormont, for the year 1929, as set forth in schedule "B" to this Act and the agreement therein referred to between the said corporation and said Fibre Conduits, Canada, Limited, as set forth in schedule "A" to this Act, are hereby ratified and confirmed and declared to be legal, valid and binding upon the said municipal corporation and on the said Fibre Conduits, Canada, Limited.

School tax  
and local  
improve-  
ment rates  
not  
affected.

(2) Notwithstanding anything therein contained the said by-law and agreement shall not affect or apply to taxation for school purposes or local improvements.

Commence-  
ment of Act.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent.

## SCHEDULE "A."

This Agreement made the thirtieth day of September, A.D. 1929.

BETWEEN:

THE CORPORATION OF THE TOWNSHIP OF CORNWALL, in the  
County of Stormont and Province of Ontario, and  
Dominion of Canada, hereinafter called the Corporation,

of the first part

AND

FIBRE CONDUITS, CANADA, LIMITED, a body corporate,  
having its head office and chief place of business at the  
City of Montreal, in the Province of Quebec, hereinafter  
called the Company,

of the second part.

Whereas the Company proposes to engage in the manufacture of Fibre Conduit, and are desirous of establishing a factory for this purpose within the Municipal boundaries of the Corporation;

And whereas the said Company are negotiating for the acquisition of part of lot number Twelve in the First Concession of the Township of Cornwall aforesaid, as a site for the establishment of their said factory;

And whereas it would be in the interests of the Corporation to have the said Manufacturing business established within its limits;

And whereas it is desirable that an Agreement should be entered into between the Corporation of the Township of Cornwall and the Company setting forth what should be done by the Company in establishing and operating the said business, and by the said Corporation in respect of the rates and taxes of the said Company;

Now this Indenture and Agreement witnesseth that the Corporation and the Company agree as follows:

1. The Company will erect within one year from the date hereof, buildings constructed of steel, cement and brick to the value of at least Fifty thousand dollars (\$50,000.00) and shall equip the same with suitable plant and machinery for the operation of said plant and premises as a factory for the production of fibre conduit.

2. The Company will employ a minimum number of twenty employees, all males, and will pay out in wages a minimum annual sum of Twenty thousand dollars (\$20,000.00).

3. The Company will provide at its own expense, all necessary water and sewerage facilities and its own fire protection.

4. The Company will provide and maintain at its own expense, all roads which it may require on the land being acquired by it.

5. The Company will furnish to the Corporation free of charge, all surplus cinders made on its premises not used by the Company as the same may be required by the Corporation.

6. The assessment of the Company on land and buildings and including business assessment, but exclusive of school rates, shall be fixed at the sum of Twenty-four hundred dollars (\$2,400.00) for a period of ten years from the First day of January, 1930.

7. This Agreement shall not affect the duty of the Company to pay rates for school purposes.

8. This Agreement shall enure to the benefit of, and be binding upon any other Company which the Company herein named, may find it necessary or expedient to transfer its business to for any reason.

9. In the event of the Company disposing of any part of the lands now being acquired by it, the benefits of this Agreement shall not accrue to any industry that may be established thereon.

In witness whereof the Reeve and Clerk of the Township of Cornwall have hereunto set their hands and affixed the Corporate Seal and said Fibre Conduits, Canada, Limited, have also set the hands of their proper officers thereunto lawfully authorized and have affixed their Corporate Seal.

(SEAL.)

(Sgd.) V. McDONALD, *Reeve*.

(Sgd.) J. W. McLEOD, *Clerk*.

## SCHEDULE "B."

### BY-LAW NUMBER 1177 OF THE TOWNSHIP OF CORNWALL IN THE COUNTY OF STORMONT, FOR THE YEAR 1929.

A By-law for fixing the assessment upon the property of Fibre Conduits, Canada, Limited, in the Township of Cornwall, for a period of ten years and authorizing the execution of an Agreement between the said Company and the said Corporation in respect thereof.

Whereas the Corporation of the Township of Cornwall has entered into an Agreement bearing even date herewith, to fix the assessment and taxes on all lands, buildings, machinery and plant including business assessment of Fibre Conduits, Canada, Limited, for a period of ten years as set out in said Agreement and upon the terms, the provisos and conditions in said Agreement contained;

And whereas it is necessary to authorize the Reeve and Clerk of the Corporation of the Township of Cornwall to execute the said Agreement and attach the Corporate Seal thereto;

Be it therefore enacted a By-law of the Corporation of the Township of Cornwall and it is hereby enacted that the Reeve and Clerk thereof be, and they are hereby authorized and empowered to sign and seal with the Corporate Seal of the Township of Cornwall, said Agreement with said Fibre Conduits, Canada, Limited, bearing date the Thirtieth day of September, 1929;

And it is hereby further enacted that the said Agreement with said Fibre Conduits, Canada, Limited, shall not come into operation or take effect until the same is ratified, confirmed and validated as provided by the Statutes in that behalf.

Passed in open Council, signed and sealed this Thirtieth day of September, A.D. 1929.

(SEAL.)

(Sgd.) V. McDONALD, *Reeve*.

(Sgd.) J. W. McLEOD, *Clerk*.



## CHAPTER 72.

## An Act respecting the Town of Deseronto.

*Assented to 3rd April, 1930.*

**W**HEREAS the corporation of the town of Deseronto has <sup>Preamble.</sup>  
by its petition represented that it was incorporated as  
a town on the first day of January, 1889; that at the time of  
the incorporation there were large lumber mills carrying on  
the business of manufacturing lumber and various products  
thereof in the said town; that the timber limits upon which  
said mills relied for raw material have been exhausted and the  
said mills have ceased to operate, resulting in a reduction of  
the population of the town of Deseronto and a diminution  
of the assessed value of the rateable property; that the town  
has incurred a floating debt of \$30,000 made up as follows:  
amount owing to the bank of said corporation \$12,000 and  
expended in making necessary improvements to sidewalks,  
roads and water system; fire hall improvements including  
equipment therefor \$6,000; amount owing by the said town  
for county levy \$7,000; and street improvements constructing  
cement walks and new road \$5,000; that the said town has  
outstanding a debenture debt amounting to about \$35,000,  
as hereinafter specified; that the total assessment of the town  
of Deseronto according to the last revised assessment roll is  
\$921,672, which includes property which the town of Deser-  
onto has purchased at tax sales held in the said town of  
Deseronto amounting to \$42,282 according to the assessed  
value thereof; that the total amount of land within the limits  
of the corporation of the town of Deseronto comprises 530  
acres; that there has been constructed about one mile of  
permanent pavement and about ten miles of cement sidewalks  
within the town; that the town owns its own water works  
plant of a value of about \$100,000; and whereas the said  
corporation has by its petition prayed that an Act be passed  
authorizing it to borrow money by the issuing of debentures  
to pay its floating and debenture indebtedness; and whereas,  
subject to the provisions of this Act it is expedient to grant  
the prayer of the said petition;

Therefore, His Majesty, by and with the advice and  
consent of the Legislative Assembly of the Province of  
Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Town of Deseronto Act, 1930.*

Floating  
Debt con-  
solidated at  
\$30,000.

2.—(1) The floating debt of the corporation of the town of Deseronto is consolidated at the sum of \$30,000 and the said corporation may pass a by-law to borrow by a special issue of debentures a sum not exceeding \$30,000 for the purpose of paying the said floating debt, and such debentures shall be payable in not more than 30 years from the date of issue thereof.

(2) The said debentures and all moneys arising from the sale thereof shall be applied by the said corporation in payment of the said floating debt and for no other purpose.

Power to  
borrow  
\$35,000 to  
pay off out-  
standing  
debentures.

3.—(1) The Corporation of the town of Deseronto may from time to time pass by-laws to borrow sums of money not exceeding in the aggregate \$35,000 by the issue of debentures payable in not more than 30 years from the respective dates of issue thereof for the purpose of retiring or redeeming the outstanding debentures of the said corporation set out in Schedule "A" hereto.

(2) The said debentures and all moneys arising therefrom shall be applied by the said corporation in the redemption of the said outstanding debentures and for no other purpose.

(3) The treasurer of the said town shall, on receiving instructions from the council so to do, from time to time, but only with the consent of the holders thereof, call in any of the outstanding debentures and shall discharge the same with the funds raised under this section; or may with the like consent substitute therefor debentures authorized to be issued under this section upon such terms as may be agreed upon between the said council and the holders of the said outstanding debentures.

Term of  
debentures,  
rate of inter-  
est, etc.

4. The said debentures shall bear interest at a rate not exceeding six per centum per annum, and may be issued either with or without coupons attached thereto for interest, and shall be payable at such place or places as the corporation may deem expedient.

Equal  
annual  
instalments.

5. The said debentures shall be payable in equal annual instalments of principal and interest, in such manner and of such amounts that the amounts payable for principal and interest in any year shall be equal as nearly as may be to the amount payable for principal and interest during each of the other years of the period within which the debt is to be discharged.

6. The said corporation shall levy in each year during the period within which the debt is payable, in addition to all other rates, a special rate sufficient to produce and pay the annual instalments of principal and interest falling due upon the said debentures.

Levy of special rate.

7. It shall not be necessary to obtain the assent of the electors of the town of Deseronto to the passing of any by-law which shall be passed under the authority of this Act, or to observe the formalities in relation thereto prescribed by *The Municipal Act*.

Assent of electors not required.

Rev. Stat., c. 233.

8. No irregularity in the form of the said debentures or any of them, or of any by-law authorizing the issue thereof shall render the same invalid or illegal, or be allowed as a defence to any action brought against the said corporation for the recovery of the said debentures or interest or any part thereof; and the purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such by-law or issuing debentures or as to the application of the proceeds thereof.

Irregularity in form not to invalidate.

9. It shall be the duty of the treasurer, for the time being, of the said town, to keep, and it shall be the duty of each of the members, from time to time, of the council to procure such treasurer to keep, and see that he does keep, a proper book of account, setting forth a full and particular statement, so that the same shall at all times show the number of debentures which from time to time shall be issued under the powers conferred by this Act, and the respective amounts, payment of which is thereby secured, and the times at which the said debentures shall respectively become due and payable, and the several amounts which shall, from time to time, be realized from the sales or negotiations of the said debentures, and the application which shall, from time to time, be made of the said amounts and the said book of account and statement shall at all times, and at all reasonable hours, be open to the inspection of any ratepayer of the said town, and of any of the holders, from time to time, of the debentures which shall be issued under the powers hereby conferred, or any of such debentures.

Treasurer to keep proper book of account.

10. This Act shall come into force on the day upon which it receives the Royal Assent.

Commencement of Act.

## SCHEDULE "A."

## OUTSTANDING DEBENTURES.

*Gas Works, Pumping Station and Improvement.*

By-law No. 389

Passed 1907—Due 1937—Amount of issue, \$50,000.

Amount owing..... \$17,916 38

*School Debenture.*

By-law No. 685.

Passed 1922—Due 1942—Amount of issue, \$12,000.

Amount owing..... 7,800 00

*Streets Debenture.*

By-law No. 793.

Passed 1928—Due 1938—Amount of issue, \$9,800.

Amount owing..... 8,820 00

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\$34,536 38

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## CHAPTER 73.

## An Act respecting the Town of Eastview.

*Assented to 3rd April, 1930.*

**W**HEREAS the municipal corporation of the town of <sup>Preamble.</sup> Eastview has by petition represented that on the 2nd day of October, 1929, it passed a certain by-law, being by-law number 627, for submitting to the electors the question as to whether they were in favour of the corporation of the town of Eastview applying for legislation enabling the corporation to exempt from taxation (except school rates) for a period of ten years from 1st January, 1930, all buildings erected during the said period and all improvements or alterations made to buildings during the said period; and whereas the said question was duly submitted to the qualified electors of the town of Eastview on the 2nd day of December, 1929, with the result that 1,433 votes were cast in the affirmative and 261 votes cast in the negative; and whereas the total assessment of the said municipality is \$1,496,800 and its bonded indebtedness is \$591,571.37; and whereas there are approximately sixteen hundred vacant lots in the said town of which the said municipal corporation owns approximately six hundred; and whereas the council of the corporation of the town of Eastview is desirous of carrying into effect the proposal referred to in the said question and approved by the electors as aforesaid; and whereas the said corporation has by its petition prayed that an Act may be passed for the above mentioned purpose; and whereas it is expedient to grant the prayer of the said petition:

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Town of Eastview Act, 1930*. <sup>Short title.</sup>

2. The council of the said corporation may, by by-law, <sup>Power to exempt buildings from taxation for ten years.</sup> which shall not require for its validity the assent of the electors qualified to vote on money by-laws, exempt from all municipal taxes (except school rates) for a period of ten years from the 1st January, 1930, all buildings used for

residential

residential purposes only erected in the said town of Eastview during the said period and all improvements or alterations made to buildings used for residential purposes only during the said period.

Commence-  
ment of  
Act.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 74.

## An Act respecting the City of East Windsor.

*Assented to 3rd April, 1930.*

**W**HEREAS the corporation of the city of East Windsor Preamble.  
has, by its petition, prayed for special legislation in  
regard to the matters hereinafter set forth; and whereas it  
is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario,  
enacts as follows:

1. This Act may be cited as *The City of East Windsor Act*, Short title.  
1930.

2. In this Act,—

Interpre-  
tation.

(a) "Corporation" shall mean the municipal corporation  
of the city of East Windsor.

(b) "Council" shall mean the council of said corporation.

3. The by-law specified in schedule "A" hereto and all By-law  
No. 947,  
confirmed.  
debentures issued or to be issued thereunder are confirmed  
and declared to be legal, valid and binding upon the said  
corporation and the ratepayers thereof.

4.—(1) The corporation may undertake and construct Construction  
of works  
under Rev.  
Stat. c. 235.  
under the provisions of *The Local Improvement Act* any or all  
of the following works, namely:

(a) The widening of the whole or any portion of that  
part of Tecumseh Road which lies within the limits  
of the corporation.

(b) Any or all of the works mentioned in *The Local  
Improvement Act* upon that part of Tecumseh Road  
which lies within the limits of the corporation.

(2) Except as otherwise in this Act provided the provisions Application  
of Rev. Stat.  
c. 235.  
of *The Local Improvement Act* shall apply to any work under-  
taken under this Act.

Assessment  
of cost.

5. Notwithstanding anything contained in *The Local Improvement Act*, no part of the cost of any of the works mentioned in section 4 undertaken and constructed by the city of East Windsor shall be assessed against the lands situated on the south side of Tecumseh Road.

Commence-  
ment of  
Act.

6. This Act shall come into force on the day upon which it receives the Royal Assent.



## SCHEDULE "A."

## CITY OF EAST WINDSOR.

## BY-LAW No. 947.

A By-law to provide for the borrowing of \$24,024.15 to pay for the construction of a 12-inch watermain and necessary connections on Tecumseh Road from Drouillard Road to Pillette Road.

Whereas pursuant to Construction By-law Number 924, a 12-inch watermain and necessary connections has been constructed on Tecumseh Road from Drouillard Road to Pillette Road as a local improvement under the provisions of *The Local Improvement Act*.

And whereas the total cost of the work is \$24,024.15 of which \$23,786.18 is the Corporation's portion of the cost, and \$237.97 is the owners' portion of the cost, for which a Special Assessment Roll has been duly made and certified.

And whereas the Corporation's portion of the cost is to be paid fifty per cent. (50%) by the Township of Sandwich East and fifty per cent. (50%) by the City of East Windsor.

And whereas the estimated lifetime of the work is twenty (20) years.

And whereas the Provincial Board of Health has approved of the said work.

And whereas it is necessary to borrow the said sum of \$24,024.15 on the credit of the Corporation and to issue debentures therefor bearing interest at the rate of five and one-half per cent. (5½%) per annum, which is the amount of the debt intended to be created by this By-law.

And whereas it is expedient to make the principal of the said debt payable in yearly sums during the period of twenty (20) years of such amounts respectively that the aggregate amount payable for principal and interest in any year shall be equal as nearly as may be to the amount so payable for principal and interest in each of the other years.

And whereas it will be necessary to raise annually the sum of \$2,010.32, during the period of twenty (20) years to pay the said yearly sums of principal and interest as they become due, of which \$1,990.41 is required to pay the Corporation's portion of the cost and interest thereon, and \$19.91 is required to pay the owners' portion of the cost and interest thereon.

And whereas the whole rateable property of the municipality, according to the last Revised Assessment Roll, is \$21,935,550.00.

And whereas the amount of the existing debenture debt of the Corporation, exclusive of local improvement debts secured by special rates or assessments, is \$1,615,042.25, and no part of the principal or interest is in arrear.

Therefore the Municipal Council of the Corporation of the City of East Windsor enacts as follows:

1. That for the purpose aforesaid there shall be borrowed on the credit of the Corporation at large the sum of \$24,024.15 and debentures shall be issued therefor in sums of not less than \$50.00 each, bearing interest at the rate of five and one-half per cent. (5½%) per annum, payable semi-annually, and having coupons attached thereto for the payment of interest.

2. The debentures shall all bear the same date and shall be issued within two (2) years after the day on which this By-law is passed and may bear any date within such two years and shall be payable in twenty (20) annual instalments during the twenty (20) years next after the time when the same are issued, and the respective amounts of principal and interest payable in each of such years shall be as set forth in Schedule "A" hereto annexed, which is hereby declared to be and form part of this By-law.

3. The debentures shall be payable both as to principal and interest in Canadian currency at the principal office of the Bank of Montreal at Montreal, Toronto or East Windsor, Ontario.

4. The Mayor of the Corporation shall sign and issue the debentures and the debentures and interest coupons shall be signed by the Treasurer and the debentures shall be sealed with the Seal of the Corporation. The signature of the Treasurer upon the coupons may be written, stamped, lithographed or engraved.

5. During the twenty (20) years the currency of the debentures, the sum of \$2,010.32, shall be raised annually for the payment of the debt and interest as follows: The sum of \$1,990.41 shall be raised annually for the payment of the Corporation's portion of the cost and interest thereon and shall be levied and raised annually by a special rate sufficient therefor over and above all other rates on all the rateable property in the municipality at the same time and in the same manner as other rates. For the payment of the owners' portion of the cost and interest thereon, after deducting any sums received by the municipality by way of commutation of special rates and the interest thereon, the special assessments set forth in the Special Assessment Roll prepared in respect of the said work are hereby imposed upon the land liable therefor and therein set forth, which said special assessments with a sum to cover interest thereon at the rate aforesaid shall be payable in twenty (20) annual instalments of \$19.91. each and for that purpose the respective special annual rates per foot frontage set forth in the said Special Assessment Roll are hereby imposed upon the lands set forth in the said Special Assessment Roll for the said work according to the assessed frontage thereof over and above all other rates and taxes, which said special rates shall be collected annually by the Collector of Taxes for the Corporation at the same time and in the same manner as other rates.

6. The debentures may contain any clause providing for the registration thereof authorized by any Statute relating to municipal debentures in force at the time of the issue thereof.

7. That the amount of the loan authorized by this By-law may be consolidated with the amount of any loans authorized by other Local Improvement By-laws, by including the same with such other loans in a Consolidating By-law authorizing the borrowing of the aggregate amount thereof in one loan and the issue of debentures for such loan in one consecutive issue pursuant to the provisions of the Statute in that behalf.

8. This By-law shall take effect on the day of the final passing thereof.

Finally passed this 17th day of February, A.D. 1930.

(Seal)

(Sgd.) JOHN H. WIGLE, *Mayor*.

(Sgd.) J. F. FOSTER, *Clerk*.

*Schedule "A."*

No.	<i>Interest</i>	<i>Principal</i>	<i>Total</i>
1.....	\$ 1,321 32	\$ 689 00	\$ 2,010 32
2.....	1,283 43	726 89	2,010 32
3.....	1,243 44	766 88	2,010 32
4.....	1,201 28	809 04	2,010 32
5.....	1,156 77	853 55	2,010 32
6.....	1,109 83	900 49	2,010 32
7.....	1,060 30	950 02	2,010 32
8.....	1,008 05	1,002 27	2,010 32
9.....	952 92	1,057 40	2,010 32
10.....	894 77	1,115 55	2,010 32
11.....	833 42	1,176 90	2,010 32
12.....	768 68	1,241 64	2,010 32
13.....	700 40	1,309 92	2,010 32
14.....	628 35	1,381 97	2,010 32
15.....	552 35	1,457 97	2,010 32
16.....	472 15	1,538 17	2,010 32
17.....	387 56	1,622 76	2,010 32
18.....	298 30	1,712 02	2,010 32
19.....	204 13	1,806 19	2,010 32
20.....	104 80	1,905 52	2,010 32
	<hr/>	<hr/>	<hr/>
	\$16,182 25	\$24,024 15	\$40,206 40

## CHAPTER 75.

## An Act respecting the Township of East York.

*Assented to 3rd April, 1930.*

Preamble.

**W**HEREAS the corporation of the township of East York has by its petition prayed for special legislation in regard to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The Township of East York Act, 1930.*

Tax sales  
and deeds  
confirmed.

**2.** All sales of land within the township of East York made prior to the 31st day of December, 1928, which purport to have been made by the corporation of the said township or by its treasurer for arrears of taxes in respect to the lands so sold are hereby validated and confirmed and all conveyances of land so sold executed by the reeve and treasurer of the said township of East York purporting to convey the said lands so sold to the purchaser thereof or his assigns or to the said corporation shall have the effect of vesting the lands so sold or conveyed or purporting to be sold or conveyed to the purchaser thereof or his assigns or to the said corporation and its successors and assigns as the case may be in fee simple and clear of and free from all right, title and interest whatsoever of the owner or owners thereof at the time of such sale or his, her or their assigns and all charges and encumbrances thereon and dower therein except taxes accrued or accruing after those for non-payment of which the said lands were sold.

By-law  
1808  
confirmed.

**3.**—(1) By-law Number 1808 of the township of East York, set out as schedule "A" hereto, is hereby declared legal, valid and binding upon the said corporation and the ratepayers thereof.

Assessment  
of cost of  
system.

(2) The entire cost of the establishment, construction, enlargement, extension, improvement, operation, maintenance,

management

management and repair of the waterworks system in Water Area "F" established by said by-law number 1808 shall be assessed upon all the rateable land, exclusive of buildings, machinery and fixtures, in said area.

(3) The debentures issued to provide for the payment of <sup>Term of de-</sup> the cost so assessed may be made payable within forty years <sup>bentures</sup> from the date of the issue of such debentures.

(4) Except as in this Act otherwise expressly provided the <sup>Application</sup> provisions of *The Township of East York Act, 1925*, shall <sup>of</sup> 1925, c. 119. apply to the work in the said Water Area "F."

4. Subsection 2 of section 3 of *The Township of East York* <sup>1929, c. 96,</sup> *Act, 1929*, is amended by striking out in the third line thereof <sup>s. 3, subs. 2,</sup> the words "the 31st day of December, 1929" and substituting <sup>amended.</sup> therefor the words "the 31st day of December, 1930".

5. This Act, except section 2, shall come into force on the <sup>Commence-</sup> day upon which it receives the Royal Assent, and section 2 <sup>ment of Act.</sup> shall come into force on the 1st day of July, 1930.

SCHEDULE "A"  
TOWNSHIP OF EAST YORK

By-LAW No. 1808

To set apart and establish as a water area a portion of the Township of East York.

The Municipal Council of the Corporation of the Township of East York, enacts as follows:

I

That the following lands—"Commencing at the intersection of the west limit of right-of-way of the Canadian Pacific Railway, and the dividing line between lots 14 and 15, Concession 2, from the Bay; thence easterly along said dividing line to where it intersects the west limit of a part of Township Lot 15, owned by Patterson; thence northerly along the west limit of said Lot 15, to the northwest corner thereof; thence easterly along the north limits of said Lot 15, to the northeast corner thereof; thence easterly along the north limit of Block C. deposit plan 420 to the north east corner thereof; thence northerly along the east limits of Block F. deposit 420, to the north east corner thereof; thence northerly along the east limits of Block O, deposit 420, to the northeast corner thereof; a point situated on what was the north street line of St. Clair Avenue; thence westerly, northerly and westerly along the north limits of said Block O; thence westerly in a straight line being a production of the north limit of said Block O, to a point where said line intersects the centre line of the River Don, thence southerly along the said centre line to where it intersects the west limit of the right-of-way of the Canadian National Railway; thence northerly along the west limit of said right-of-way, a distance of 659 feet, more or less, thence northwesterly along a line running S. 55°—32' E., a distance of 850' 4" more or less; thence northwesterly along a line running S. 74° 53' E., a distance of 505' 7" more or less to where it intersects the east limit of the right-of-way of the Canadian Pacific Railway; thence southerly along the east limit of said right-of-way to the point of beginning," are hereby set apart and established as Water Area "F."

II

That the watermain now constructed in the said Area, and owned by the Don Valley Paper Company, Limited, shall be purchased from the said Don Valley Paper Company, Limited, for the sum of \$1,600.00, the cost thereof being charged to the said Area as part of the cost of the establishment of the said Area and construction of a waterworks system therein.

Passed by a vote of three-fourths of all the members of Council, this 27th day of January, 1930.

"W. H. HEATON," *Clerk.*

"R. M. LESLIE," *Reeve.*

[SEAL]

## CHAPTER 76.

An Act respecting the Essex Border Utilities  
Commission

*Assented to 3rd April, 1930.*

**W**HEREAS the Essex Border Utilities Commission has by <sup>Preamble.</sup> its petition represented that it is desirable that the said Commission be authorized to enter into certain agreements with the Michigan Central Railroad Company, the Canadian Pacific Railway Company and the Pere Marquette Railway Company in regard to the construction of certain works allowing the deepening of the Grand Marais Drain and that a certain by-law authorizing an issue of debentures to pay the cost of the said drain be validated and that *The Consolidated Essex Border Utilities Act, 1929*, be made applicable to certain new areas and municipal corporations; and whereas the said Commission has by its petition prayed that an Act may be passed for the above purposes; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Essex Border Utilities Act, 1930*. <sup>Short title.</sup>

2. By-law number 68 of the Essex Border Utilities Commission as set out in schedule "A" hereto being a by-law to <sup>By-law 68 in Schedule "A" confirmed.</sup> raise the sum of \$165,663.58 by an issue of debentures to pay the cost of draining the storm and waste water from the Grand Marais Basin and imposing the rates to be levied for the purpose of liquidating the said debentures, is hereby declared to be legal, valid and binding upon the said Commission and upon the townships of Sandwich East and Sandwich West and the town of Walkerville and the ratepayers thereof, also the Windsor Suburban Area Commission and the Walkerville Suburban Area Commission under the provisions of *The Consolidated Essex Border Utilities Act, 1929*.

Agreement  
with  
M. C. Ry.  
Co. con-  
firmed.  
(enlarging  
culverts  
under right-  
of-way).

3. The agreement set out in schedule "B" hereto between the Essex Border Utilities Commission of the one part and the Michigan Central Railroad Company lessee of the Canada Southern Railway Company of the other part providing for the enlarging of the culverts under the rights-of-way of the said railway company situate on farm lots numbered 81 to 84 inclusive in the third concession in the township of Sandwich West and relieving the said companies from certain assessments and in regard to matters incidental thereto, is hereby declared to be legal, valid and binding upon the Essex Border Utilities Commission, and the municipal corporations of the townships of Sandwich East and Sandwich West and the town of Walkerville.

Agreement  
with C.P.R.  
confirmed.  
(enlarging  
culverts  
under right-  
of-way).

4. The agreement set out in schedule "C" hereto between the Essex Border Utilities Commission of the one part and the Canadian Pacific Railway Company of the other part providing for the enlarging of the culverts under the rights-of-way of the said railway company situate on farm lots 96 to 97 in the second concession of the township of Sandwich East and relieving the said company from certain assessments and in regard to matters incidental thereto, is hereby declared to be legal, valid and binding upon the Essex Border Utilities Commission and the municipal corporations of the townships of Sandwich East and Sandwich West and the town of Walkerville.

Agreement  
with Pere  
Marquette  
Ry. con-  
firmed  
(enlarging  
culverts  
under right  
of way).

5. The agreement set out in schedule "D" hereto between the Essex Border Utilities Commission of the one part and the Pere Marquette Railway Company of the other part providing for the enlarging of the culvert under the right-of-way of the said railway company situate on farm lot 97 in the second concession of the township of Sandwich East and relieving the said company from certain assessments and in regard to matters incidental thereto, is hereby declared to be legal, valid and binding upon the Essex Border Utilities Commission and the municipal corporations of the townships of Sandwich East and Sandwich West and the town of Walkerville.

1929, c. 98,  
s. 22,  
subs. 10,  
amended.

6. Subsection 10 of section 22 of *The Consolidated Essex Border Utilities Act, 1929*, is amended by adding thereto clause (aa) as follows:

(aa) The Commission may also by by-law from time to time authorize the construction of drains or sewers or extensions thereof to drain the whole or any part of the Grand Marais Basin of either the sanitary sewage or the storm and waste water as separate works and may authorize its engineer to report

accordingly



accordingly and may proceed to borrow the money and construct the same as works authorized under the provisions of this subsection.

7. Subsection 1 of section 17 of the said Act is hereby<sup>1929, c. 98, s. 17, subs. 1, amended.</sup> amended by striking out the word "three" in the seventh line thereof and substituting therefor the word "one" and by striking out the words "and asking for approval should not less than three corporations approve," in the thirteenth and fourteenth lines thereof.

8. Subsection 2 of section 17 of the said Act is hereby<sup>1929, c. 98, s. 17, subs. 2, amended.</sup> amended by striking out the words "to three or more municipalities" in the first line and substituting therefor the words "a question."

9. Section 18 of the said Act is hereby amended by striking<sup>1929, c. 98, s. 18, amended.</sup> out the first three lines thereof and also the words "of the works" in the fourth line and substituting therefor the words "In the event of approval being so obtained," and also by adding at the end of the section the words "or the by-law as the case may be," so that the section will now read as follows:

18. In the event of approval being so obtained the Commission may proceed with the construction of the<sup>Construction of works with approval by municipalities.</sup> works approved of for the use and benefit and at the cost of the corporations approving and the provisions of this Act and the powers of the Commission shall apply to the corporations for the benefit of which such work or works are being constructed, and the proportion payable by each municipality shall be as shown in the question or by-law as the case may be.

10.—(1) Clause (e) of section 2 of *The Consolidated Essex Border Utilities Act, 1929*, is hereby repealed and the following<sup>1929, c. 98, s. 2, cl. (e), repealed.</sup> substituted therefor:

(e) "East Windsor" shall mean the corporation of the<sup>"East Windsor."</sup> city of East Windsor and the words "East Windsor" shall be substituted for the words "Ford City" wherever they occur in this Act.

(2) Section 2 of the said Act is further amended by adding<sup>1929, c. 98, s. 2, amended.</sup> thereto the following clause:

(s) "Sandwich South" shall mean the corporation<sup>"Sandwich South."</sup> of the township of Sandwich South.

(3) Clause (h) of said section 2 is hereby repealed and the<sup>1929, c. 98, s. 2, cl. (h), amended.</sup> following substituted therefor:

(h)

"Essex  
Border  
Municipalities."

- (h) "Essex Border Municipalities" shall mean and include the municipal corporations of the cities of Windsor and East Windsor, the towns of Sandwich, Walkerville, Riverside, LaSalle and Ojibway and any other municipal corporation in the county of Essex the whole or any area of which is now so included or may hereafter be added under the provisions of this Act, also any new municipal corporations hereafter established which include any portion of the area thereof and "Essex Border Utilities District" shall mean the area of land from time to time included within the same.

1929, c. 98,  
s. 3, subs. 3,  
part,  
repealed.

**11.**—(1) The first paragraph of subsection 3 of section 3 of the said Act is hereby repealed and the following substituted therefor:

Representa-  
tives of  
new muni-  
cipalities on  
Com-  
mission.

- (3) In case any portion of an Essex Border municipality shall be included in a new municipality the council of such new municipality upon its organization shall by by-law appoint one person as commissioner for the year in which such municipality is established to hold office for the remainder of that year and until his successor is elected, who with the head of the municipality shall be its members; and the electors of the new municipality shall at the next annual municipal election and every three years thereafter elect one person to be a member of the Commission to hold office for three years.

1929, c. 98,  
s. 3, subs. 3,  
cl. (d),  
repealed.

(2) Clause (d) of subsection 3 of section 3 of the said Act is hereby repealed and the following substituted therefor:

Provision  
for bringing  
in part of  
any local  
muni-  
cipality.

- (d) Where at an election a majority of the electors voting in any area forming part of a local municipality in the county of Essex have voted favourably upon a question whether they desire the provisions of *The Consolidated Essex Border Utilities Act, 1929*, to apply to such area the council of the corporation may pass a by-law making the provisions of the said Act applicable to such area and the same shall thereafter apply accordingly as if the area had been defined by a schedule to this Act.

1929, c. 98,  
s. 3, subs. 3,  
cl. (e),  
repealed.

(3) Clause (e) of subsection 3 of section 3 of the said Act is hereby repealed and the following substituted therefor:

Appoint-  
ment of  
Com-  
mission.

- (e) Where the electors of any area of a local municipality in the county of Essex have voted in favour of being included in the Essex Border municipalities the

council

council of such local municipality may if not already represented appoint a commissioner for the year in which the election takes place and the provisions of this Act shall thereafter apply thereto.

**12.** Subsection 1 of section 9 of the said Act is hereby repealed and the following substituted therefor: 1929, c. 98, s. 9, subs. 1, repealed.

- (1) Any sum so payable by a local municipality of which only part is included in the jurisdiction of the Commission shall be raised by a special rate upon all the rateable property in the area of such municipality described in a schedule to this Act or in a by-law describing the same passed under the provisions of this Act. Special rate on area.

**13.** Subsection 6 of section 10 of the said Act is hereby repealed and the following substituted therefor: 1929, c. 98, s. 10, subs. 6, repealed.

- (6) Any special rate to be imposed in an Essex Border municipality of which only part is liable shall be charged upon and collected from only the portion thereof described in a schedule to this Act or in a by-law describing the same passed under the provisions of this Act. Special rate on area.

**14.** Subsection 2 of section 15 of the said Act is hereby repealed and the following substituted therefor: 1929, c. 98, s. 15, subs. 2, repealed.

- (2) Where only part of the area of any of the Essex Border municipalities may be liable for the cost the question or questions shall be submitted only to the electors in that part of the municipality described in a schedule to this Act or in a by-law describing the same passed under the provisions of this Act.

**15.** Sections 2 to 6 shall come into force and effect upon the expiration of six months from the passing of this Act unless prior to that time the electors entitled to vote on money by-laws in the area of the township of Sandwich West which is to be charged with part of the cost shall by vote, or the council of the said township shall by by-law, have disapproved of the construction of the work. Condition as to ss. 2-6 coming into force.

**16.** This Act shall come into force on the day upon which it receives the Royal Assent.

## SCHEDULE "A"

## BY-LAW NUMBER 68 OF THE ESSEX BORDER UTILITIES COMMISSION

A By-law to raise by way of loan the sum of One Hundred and Sixty-five Thousand, Six Hundred and Sixty-three Dollars and Fifty-eight Cents (\$165,663.58) for the purpose of constructing certain storm water drainage for the Grand Marais Basin in the Townships of Sandwich East and Sandwich West and the Town of Walkerville.

Whereas *The Consolidated Essex Border Utilities Act, 1929*, provided for the construction of drainage works in the Grand Marais Basin by the Essex Border Utilities Commission.

And whereas it has become necessary to provide for the drainage of the storm waters from the said Grand Marais Basin.

And whereas J. Clark Keith, the engineer of the Commission has by his report dated the 1st of August, 1929, made a preliminary examination and survey of the proposed work and a report, estimate and apportionment of the cost thereof.

And whereas the report estimates the said cost at the sum of One hundred and sixty-five thousand six hundred and sixty-three dollars and fifty-eight cents (\$165,663.58) and the same has been adopted by the Essex Border Utilities Commission.

And whereas by the said report the apportionment of the said cost was as follows:—

Township of Sandwich East.....	\$69,703 97
Town of Walkerville.....	4,355 44
Township of Sandwich West.....	82,956 34
Department of Public Highways of Ontario....	2,742 85
Windsor Suburban Area Commission.....	2,692 13
Walkerville Suburban Area Commission.....	3,212 85
	<hr/> \$165,663 58

And whereas the Department of Public Highways of Ontario and the said Windsor and Walkerville Suburban Area Commissions have agreed to contribute their shares set out above.

And whereas the Provincial Board of Health has approved of the construction of the said drainage work.

And whereas agreements have been arrived at with the several Railway Companies whose rights-of-way are affected by the said proposed works as to the method of construction and the liabilities assumed by them.

And whereas the whole amount of the rateable property of the portion of Sandwich West according to the last revised assessment roll thereof as certified by the County Judge of the County of Essex is the sum of \$4,300,000.00 exclusive of property assessed for school rates only, and in the Township of Sandwich East is the sum of \$3,400,000.00 and in the Town of Walkerville is the sum of \$16,537,893.00.

And whereas the amount of the existing debt of the Township of Sandwich West exclusive of Local Improvement debts secured by special rates of assessment is the sum of \$57,000.00 and of the Township of Sandwich East is the sum of \$202,037.35 and the Town of Walkerville is the sum of \$882,279.19 and no part of any of said debt nor the interest thereon is due or in arrear.

Therefore the Essex Border Utilities Commission enacts as follows:—

1. For the purpose of constructing certain storm water drainage for the

Grand

Grand Marais basin the Townships of Sandwich East and Sandwich West and the Town of Walkerville, the Essex Border Utilities Commission shall raise the sum of One hundred and sixty-five thousand six hundred and sixty-three dollars and fifty-eight cents (\$165,663.58) by the issue of debentures and the Chairman of the Commission shall be and he is hereby authorized and empowered to borrow from any person, company, society or bank willing to loan the same upon the credit of the said debentures a sum not exceeding the sum of \$165,663.58.

2. The said debentures shall bear interest at the rate of six per cent. per annum and shall be expressed in Canadian currency as to both principal and interest and the debentures shall be payable in thirty annual instalments during the thirty years next after the time when the same are issued.

3. The respective amounts of principal and interest payable in each year shall be as follows:—

Number	Principal	Interest	Total
1.....	\$2,095 47	\$9,939 81	\$12,035 28
2.....	2,221 19	9,814 09	12,035 28
3.....	2,354 46	9,680 82	12,035 28
4.....	2,495 73	9,539 55	12,035 28
5.....	2,645 47	9,389 81	12,035 28
6.....	2,804 20	9,231 08	12,035 28
7.....	2,972 45	9,062 83	12,035 28
8.....	3,150 80	8,884 48	12,035 28
9.....	3,339 83	8,695 45	12,035 28
10.....	3,540 22	8,495 06	12,035 28
11.....	3,752 65	8,282 63	12,035 28
12.....	3,977 81	8,057 47	12,035 28
13.....	4,216 48	7,818 80	12,035 28
14.....	4,469 47	7,565 81	12,035 28
15.....	4,737 64	7,297 64	12,035 28
16.....	5,021 90	7,013 38	12,035 28
17.....	5,323 21	6,712 07	12,035 28
18.....	5,642 60	6,392 68	12,035 28
19.....	5,981 16	6,054 12	12,035 28
20.....	6,340 04	5,695 24	12,035 28
21.....	6,720 44	5,314 84	12,035 28
22.....	7,123 67	4,911 61	12,035 28
23.....	7,551 09	4,484 19	12,035 28
24.....	8,004 16	4,031 12	12,035 28
25.....	8,484 41	3,550 87	12,035 28
26.....	8,993 47	3,041 81	12,035 28
27.....	9,533 08	2,502 20	12,035 28
28.....	10,105 06	1,930 22	12,035 28
29.....	10,711 37	1,323 91	12,035 28
30.....	11,354 05	681 23	12,035 28
<hr/>			
		\$165,663 58	

4. The said debentures shall be sealed with the seal of the Commission and signed by the Chairman and the Secretary of the said Commission and both the principal and interest shall be payable on the 1st day of February in each year at the principal office of the Canadian Bank of Commerce in the City of Toronto or in the City of Windsor at holder's option.

5. The said debentures shall have coupons attached thereto for the payment of the interest at the rate of six per cent. per annum, which shall be signed by the Secretary of the Commission and the signature may be written, stamped or lithographed thereon. The first of said coupons being payable on the 1st day of February occurring next after the issue thereof.

6. The money borrowed as aforesaid shall be expended for the purpose of constructing certain storm water drainage for the Grand Marais Basin in the Townships of Sandwich East and Sandwich West and the Town of Walkerville and for no other purpose.

7. A duplicate original of this by-law shall forthwith after the final

passage thereof be served upon the Municipal corporations of the Townships of Sandwich East and Sandwich West and the Town of Walkerville.

8. The said corporations are hereby required under subsection 2 of section 9 and subsection 3 of section 10 of *The Consolidated Essex Border Utilities Act, 1929*, to levy and collect in each and every year during the currency of the said debentures annual special rates sufficient to produce the sum of \$12,035.28, over and above and in addition to all other rates for the purpose of redeeming the said debentures as follows:—

Upon the areas set out in Schedules A, B and C to this by-law—

In the Township of Sandwich East.....	\$5,063 96
In the Township of Sandwich West.....	6,026 69
In the Town of Walkerville.....	316 41
Contributed by the other parties.....	628 22
	<hr/>
	\$12,035 28

9. The money so levied and collected shall forthwith upon its payment be applied in payment of the said debentures and paying the interest thereon as the same respectively become due and for no other purpose whatever.

10. This by-law shall come into force and effect upon the final passing thereof.

Read first time, December 4th, 1929.

Read second time, December 4th, 1929.

Read third time, January 15th, 1930.

(Sgd.) EUGENE JANISSE, *Chairman*.

(Sgd) R. B. BRAID, *Secretary*.

### Schedule "A"

#### DESCRIPTION OF SOUTH WATER AREAS FOR THE GRAND MARAIS DRAIN IN THE TOWNSHIP OF SANDWICH EAST

Commencing at a point in the easterly limit of Pelette Road where it is intersected by the easterly production of the south side of alley south of Tecumseh Road according to Registered Plan 1276; thence west following south side of alley south of Tecumseh Road to easterly limit of alley east of Westcott Road, Registered Plan 1003; thence south to southerly limit of Registered Plan 1003; thence west to westerly limit of Registered Plan 1003; thence north along westerly limit of Registered Plan 1003 to south side of Tecumseh Road; thence west following south side of Tecumseh Road to the westerly limit of Registered Plan 1140; thence south along westerly limit of Registered Plan 1140 to the north side of Vimy Avenue; thence west along north side of Vimy Avenue to the centre line of Drouillard Road (being the line between Sandwich East and Walkerville); thence south following centre line of Drouillard Road and the line between Farm Lots 98 and 99 to the north side of the Canadian Pacific Railway right-of-way; thence west following the northerly limit of Canadian Pacific Railway right-of-way to the centre line of Howard Avenue (being the boundary between the Townships of Sandwich East and West); thence south following the centre line of Howard Avenue to the northerly limit of the Town Line Road between the Townships of Sandwich East and South; thence east following northerly limit of Town Line Road to the west side of the Pere Marquette Railway right-of-way; thence north following westerly limit of Pere Marquette Railway right-of-way to a point 200 feet north of the Lappan Drain; thence east following a line parallel to and distant 200 feet

north



north of the Lappin Drain to the line between Farm Lots 104 and 105; thence north following line between Farm Lots 104 and 105 to the south limit of the Third Concession Road; thence east following the south side of the Third Concession Road to the line between Farm Lots 106 and 107; thence north along line between Farm Lots 106 and 107, 1,950 feet more or less to a point; thence east 775 feet more or less to line between Farm Lots 108 and 109; thence south along line between Farm Lots 108 and 109, 300 feet more or less to a point; thence east 600 feet more or less to the easterly limit of Pelette Road; thence north along easterly limit of Pelette Road 220 feet more or less to a point; thence east 350 feet more or less to a point in the southerly production of the westerly limit of Registered Plan 1157; thence north following the southerly production of the westerly limit of Registered Plan 1157 to the southerly limit of the Shary Zedek Cemetery; thence west following south limit of said cemetery to the easterly limit of Pelette Road; thence north along easterly limit of Pelette Road to the northerly limit of Shary Zedek Cemetery; thence east along northerly limit of said cemetery 100 feet to a point; thence north parallel to Pelette Road 2,400 feet more or less to a point; thence west 100 feet more or less to the east side of Pelette Road; thence north along east side of Pelette Road 30 feet more or less to the place of beginning. Containing 3,674 acres more or less as shown on plan attached hereto (Plan No. 12).

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### *Schedule "B"*

#### DESCRIPTION OF SOUTH WATER AREAS FOR THE GRAND MARAIS DRAIN IN THE TOWNSHIP OF SANDWICH WEST

Commencing at a point in the west side of the Huron Line Road where it is intersected by the northerly limit of the westerly production of Toronto Street; thence east following northerly limit of Toronto Street to the westerly limit of Glenwood Avenue; thence north following westerly limit of Glenwood Avenue to the north side of Cleary Street; thence east following north side of Cleary Street to the west side of McKay Avenue as laid out; thence north following west side of McKay Avenue to the north side of Ojibway Street; thence east following north side of Ojibway and Edward Streets to the east side of Alexandra Avenue; thence north following east side of Alexandra Avenue to the south side of the easterly production of Arthur Street; thence east following the south side of easterly production of Arthur Street to the west side of the Essex Terminal Railway right-of-way; thence in a southeasterly direction following the southerly limit of the Essex Terminal Railway right-of-way to the southerly limit of the Canadian Pacific Railway right-of-way; thence east following southerly limit of Canadian Pacific Railway right-of-way to the centre line of Howard Avenue (being the boundary between Sandwich East and Sandwich West Townships); thence south following the center line of Howard Avenue to the Fourth Concession or Cabana Road; thence west following north side of Cabana Road to the west side of Dougall Avenue; thence north following westerly limit of Dougall Avenue one hundred feet to a point; thence west parallel to and one hundred feet west of the north side of the Cabana Road to the west limit of Registered Plan 1329; thence north along the westerly limit of Registered Plan 1329 to the south side of the alley south of Richardie Boulevard; thence west following south side of alley south of Richardie Boulevard to the west side of Glenwood Avenue as laid out; thence north following the west side of Glenwood Avenue as laid out to the south side of Liberty Street as laid out; thence west following south side of Liberty Street to the west side of Askin Avenue; thence north following west side of Askin Avenue to the south side of Pittsburgh Street; thence west following south side of Pittsburgh Street to the west side of the Huron Line Road; thence north following west side of the Huron Line Road to the north side of the westerly production of Toronto Street, being the place of beginning. Containing 2,500 acres more or less as shown on plan attached hereto (Plan No. 12).

*Schedule "C"*DESCRIPTION OF STORM WATER AREAS FOR THE GRAND MARAIS DRAIN  
IN THE TOWN OF WALKERVILLE

(1) Commencing at a point in the west side of Walker Road and south side of Ypres Avenue; thence south following west side of Walker Road to the northerly limit of Canadian Pacific Railway right-of-way; thence east following northerly limit of Canadian Pacific Railway right-of-way to the line between Farm Lots 98 and 99; thence north following said farm line between 98 and 99 and the centre line of Drouillard Road to a point distant southerly 500 feet from the southerly limit of Tecumseh Road; thence westerly at right angles to Drouillard Road to the east limit of the Pere Marquette Railway right-of-way; thence south along east limit of Pere Marquette Railway right-of-way to a point in the easterly production of the southerly limit of Ypres Avenue; thence west following southerly limit of Ypres Avenue to the place of beginning. Containing 138 acres more or less and shown on plan attached hereto (Plan No. 12).

(2) Commencing at a point in the westerly limit of Byng Road where it intersects the southerly limit of Tecumseh Road; thence south following westerly limit of Byng Road to the northerly limit of Canadian Pacific Railway right-of-way; thence west along Canadian Pacific Railway right-of-way to the line between Farm Lots 93 and 94 (being the Windsor-Walkerville boundary); thence north following line between Farm Lots 93 and 94 to the southerly limit of Tecumseh Road; thence east along southerly limit of Tecumseh Road to the place of beginning. Containing 178 acres more or less and shown on the plan attached hereto (Plan No. 12.)



## SCHEDULE "B"

This Agreement made the 22nd day of January, one thousand nine hundred and thirty.

BETWEEN:

ESSEX BORDER UTILITIES COMMISSION  
hereinafter called the Commission,

of the one part;

--and--

MICHIGAN CENTRAL RAILROAD COMPANY, *Lessee of the*  
*Canada Southern Railway Company,*  
hereinafter called the Company,

of the other part.

Whereas the Commission is authorized and empowered by *The Consolidated Essex Border Utilities Act, 1929*, a Statute of the Legislature of the Province of Ontario, among other things to construct certain works for the drainage of the Grand Marais Basin, which drainage area is defined in the report hereinafter referred to;

And whereas J. Clark Keith, the Engineer of the Commission, pursuant to the said Act, did make a report for the said purpose, dated the first day of August, 1929, wherein and whereby he did recommend a means for carrying off storm water from certain areas of the Town of Walkerville, the Townships of Sandwich East and Sandwich West, draining into the Grand Marais Basin, which said report was adopted by the Commission;

And whereas the proposed drainage work extends across the right-of-way and railway of the Company, being parts of Farm Lots 82, 83, 84 and 85 in the Third Concession of the Township of Sandwich West, partly by means of an open drain, and partly through three existing culverts, and as shown on the plan hereto annexed;

And whereas the construction of the proposed drainage work amongst other things, will require the lowering of the floors of the three culverts of the Company marked A, B and C, on the annexed plan, and the increasing of the cross-sectional areas thereof by about forty square feet;

And whereas a plan has been prepared by the Company showing amongst other things the location of the said drainage work across its property, and the proposed changes to its culverts, and which said plan has been duly approved by the Commission, and is attached hereto, and made a part of this Agreement;

And whereas the Company is willing to make the alteration to its culverts, as shown on the annexed plan, and subject to the terms and conditions of this Agreement as hereinafter contained;

Now therefore the parties hereto agree as follows:

1. The Company shall, upon the request of the Commission, make the necessary structural alterations to its three culverts, now located on parts of Lots 82, 83 and 84 in the Third Concession of the Township of Sandwich West, in the Province of Ontario, so that the floors thereof shall grade to and be established at an elevation of 592 feet at the portal of the most easterly culvert marked "C" on the annexed plans, and at 591.85 feet at the most westerly portal of culvert marked "A" on the said plans respectively, above Dominion Observatory Atlantic sea level datum, and so that the present cross-sectional areas of each culvert will be increased about forty square feet, and which said proposed changes are set forth and approved of by the parties hereto, on the annexed plan.

2. The Company, in consideration of its performing the above work at its expense, shall be and it is hereby released and discharged from all and every special assessment or tax which might now or hereafter be imposed or levied under proceedings taken under *The Municipal Drainage Act, The Consolidated Essex Border Utilities Act, 1929, the Dominion Railway Act*, or any other Statute, and amendments thereof, for the maintenance, repair and/or improvement of the Grand Marais Drain, and/or the work now proposed to be undertaken by the Commission under the report hereinabove referred to, and/or any other drainage works, undertaken for the drainage from the Grand Marais Basin, under or across the rights of way and Railway of the Company.

3. The Company shall have the option of deepening the open drain between its culverts A and B, and B and C, as shown on the said plan, but at the expense of the Commission, at a price to be mutually agreed upon between the respective chief engineers of the parties hereto; and the Commission agrees to pay the costs thereof within fifteen days after bills of expense have been presented by the Company from time to time. In the event of the Company not exercising the option herein provided for, and/or should the respective engineers of the parties hereto be unable to agree upon the price, then the Commission may do the said work, but in accordance with the written directions of the Chief Engineer of the Company, to whose satisfaction the said work shall be completed; provided, however, that should any dispute arise as to the directions given by the Chief Engineer of the Company as aforesaid, such disputes shall be referred to the Chief Engineer of the Board of Railway Commissioners for Canada, whose decisions shall be final and binding upon the parties hereto.

4. The Commission is authorized to enter upon the Company's lands, lying between Howard Avenue and the easterly portal of the culvert marked "C" and also the land lying immediately west of the westerly portal of the culvert marked A for the purpose of constructing the open drain within the above mentioned limits; the said work is to be carried out without damaging the said portals and the Commission will deposit, spread and level all earth and other excavations taken from the said easterly parcel upon parts of Lots 84 and 85 within the area but not above the elevations shown in the annexed plan and hatched in yellow and from the westerly parcel upon such adjoining land as the Engineer of the Company may direct.

5. The Commission agrees that before the Company shall be bound to carry out the above structural alterations in its culverts, the outlet for the drainage according to the plans of the Engineer of the Commission shall be constructed by means of the deepening of the Grand Marais Drain to the southwest but upon the outlet being provided the Company shall forthwith proceed with its part of the work.

6. When and so often as it shall happen that for the better maintenance of the drainage work, and to provide a proper flow of the drain through the culverts, that the floors of the said culverts require to be cleaned by the removing therefrom of the silt and other deposit thereon, the Engineer of the Commission shall notify the Chief Engineer of the Company, in writing, of what work is required to be done, and the Company shall have the option of doing the work, but at the expense of the Commission, and the Commission covenants and agrees with the Company to pay all bills of expense which may be rendered therefor, within fifteen days of presentation thereof, by the Company, from time to time; provided, however, that should the Company not exercise the option of doing the work, the Commission shall be permitted to enter upon the Company's lands and carry out the work, but in accordance with the directions and specifications in writing which will be furnished by the Chief Engineer of the Company, and to whose satisfaction the work shall be completed by the Commission; provided, further, that should disputes arise as to either the items of the expense, where the Company has exercised its option to do the work, and/or the specifications and the manner in which the same is, by the Chief Engineer of the Company, directed to be undertaken by the Commission, all such disputes shall be referred to the Chief Engineer of the Board of Railway Commissioners for Canada, whose decisions thereon shall be final and binding upon the parties hereto.

7. Provided always, that nothing herein contained shall relieve the Company from any assessment or tax imposed for constructing or maintaining drains for surface, storm or waste water, or sanitary sewage from the said basin in the same ratio or proportion as other lands affected by or benefited from such drainage improvements may be assessed or taxed, nor from its obligation to maintain the culvert structures above mentioned in a safe condition for the operation of its Railroad, and the traffic transported thereon.

8. The parties will make a joint application to the Board of Railway Commissioners for Canada, under Section 269 of *The Railway Act*, for an order authorizing and approving of the construction of the said drainage works across the right-of-way and Railway of the Company, in the terms of this Agreement.

9. The Commission shall at its own expense apply for the necessary legislation to confirm and validate this Agreement and the said Company will facilitate the obtaining of the same whereupon this Agreement shall become binding upon the parties hereto.

10. This Agreement shall enure to and be binding upon the parties hereto, their successors and assigns.

In witness whereof the parties hereto have affixed their corporate seals, attested under the hands of their duly authorized officers.

ESSEX BORDER UTILITIES COMMISSION,

(Sgd.) EUGENE JANISSE, *Chairman*.

(Sgd.) R. B. BRAID, *Secretary*.

MICHIGAN CENTRAL RAILROAD COMPANY,

(Sgd.) P. E. CROWLEY, *President*.

(Sgd.) J. M. O'MAHONEY, *Asst. Secretary*.

## SCHEDULE "C"

This Agreement made the 22nd day of January, One thousand nine hundred and thirty.

BETWEEN:

ESSEX BORDER UTILITIES COMMISSION, hereinafter called  
the Commission,

—and—

of the one part;

CANADIAN PACIFIC RAILWAY COMPANY, hereinafter called  
the Company,

of the other part.

Whereas the Commission is authorized and empowered by *The Consolidated Essex Border Utilities Act, 1929*, a Statute of the Legislature of the Province of Ontario, amongst other things to construct certain works for the drainage of the Grand Marais Basin, which drainage area is defined in the report hereinafter referred to;

And whereas J. Clark Keith, the Engineer of the Commission, pursuant to the said Act, did make a report for the said purpose, dated the first day of August, 1929, wherein and whereby he did recommend a means for carrying off storm water from certain areas of the Town of Walkerville, the Townships of Sandwich East and Sandwich West, draining into the Grand Marais Basin, which said report was adopted by the Commission;

And whereas the proposed drainage work extends across the rights-of-way and railway of the Company, being parts of farm Lots 97 and 98 in the Second Concession of the Township of Sandwich East, partly by means of an open drain, and partly through an existing culvert and a bridged crossing and as shown on the plan hereto annexed;

And whereas the construction of the proposed drainage work amongst other things will require the lowering of the floor of the culvert and the bottom of the bridged crossing of the Company marked A and B on the annexed plan, and the increasing of the cross-sectional areas thereof;

And whereas a plan has been prepared by the Company showing amongst other things the location of the said drainage work across its property, and the proposed changes to its culvert and bridged crossing and which said plan has been duly approved by the Commission and is attached hereto and made a part of this agreement;

And whereas the Company is willing to make the said alterations as shown on the annexed plan, and subject to the terms and conditions of this agreement as hereinafter contained;

Now therefore the parties hereto agree as follows:

1. The Company shall, upon the request of the Commission make the necessary structural alterations in its culvert under its main line and in the bridged crossing at the Chrysler spur over the Grand Marais Drain now located on parts of farm Lots 97 and 98 in the Second Concession of the Township of Sandwich East in the Province of Ontario, so that the floor of the culvert shall grade to and be established at an elevation of 594 feet (marked A on the annexed plan) and so that the bottom of the bridged crossing may be lowered to 594.11 feet (marked "B" on the annexed plan) above Dominion Observatory Atlantic sea-level datum, and so that the present cross-sectional area of the culvert will be increased by about thirty-three square feet which said proposed changes are set forth and approved of by the parties hereto on the annexed plan.

2. The Company, in consideration of its performing the above work at its expense, shall be and it is hereby released and discharged from all and every special assessment or tax which might now or hereafter be imposed or levied under proceedings taken under *The Municipal Drainage Act, The Consolidated Essex Border Utilities Act, 1929: The Dominion Railway Act*, or any other Statute, and amendments thereof, for the maintenance, repair and/or improvement of the Grand Marais Drain, and/or the work now proposed to be undertaken by the Commission under the report hereinabove referred to, and/or any other drainage works, undertaken for the drainage from the Grand Marais Basin, under or across the rights-of-way and railway of the Company.

3. The Company shall have the option of deepening the open drain on its right-of-way on each side of the said culvert and bridged crossing as shown on the said plan, but at the expense of the Commission, at a price to be mutually agreed upon between the Division Engineer of the Company at London and the Engineer of the Commission; and the Commission agrees to pay the costs thereof within fifteen days after bills of expense have been presented by the Company from time to time. In the event of the Company not exercising the option herein provided for, and/or should the respective engineers of the parties hereto be unable to agree upon the price, then the Commission may do the said work, but in accordance with the written directions of the Division Engineer of the Company to whose satisfaction the said work shall be completed; Provided, however, that should any dispute arise as to the directions given by the Division Engineer of the Company as aforesaid, such disputes shall be referred to the Chief Engineer of the Board of Railway Commissioners for Canada, whose decisions shall be final and binding upon the parties hereto.

4. The Commission agrees that before the Company shall be bound to carry out the above structural alterations to its culvert and bridged crossing the outlet for the drainage according to the plans of the Engineer of the Commission shall be constructed by the deepening of the Grand Marais Drain to the southwest and the lowering of the floors of the Michigan Central Railroad Company's culverts but upon the outlet being provided the Company shall forthwith proceed with its part of the work.

5. When and so often as it shall happen that for the better maintenance of the drainage work, and to provide a proper flow of the drain through the culvert or bridged crossing the floors of the same require to be cleaned by the removing therefrom the silt and other deposit thereon, the Engineer of the Commission shall notify the Division Engineer of the Company, in writing of what work is required to be done, and the Company shall have the option of doing the work, but at the expense of the Commission, and the Commission covenants and agrees with the Company to pay all bills of expense which may be rendered therefor, within fifteen days of presentation thereof, by the Company, from time to time; provided, however, that should the Company not exercise the option of doing the work, the Commission shall be permitted to enter upon the Company's lands and carry out the work, but in accordance with the directions and specifications in writing which will be furnished by the Division Engineer of the Company, and to whose satisfaction the work shall be completed by the Commission; provided, further, that should disputes arise as to either the items of the expense, where the Company has exercised its option to do the work, and/or the specifications and the manner in which the same is, by the Division Engineer of the Company, directed to be undertaken by the Commission, all such disputes shall be referred to the Chief Engineer of the Board of Railway Commissioners for Canada, whose decision thereon shall be final and binding upon the parties hereto.

6. Provided always, that nothing herein contained shall relieve the Company from any assessment or tax imposed for constructing or maintaining drains for surface, storm or waste water, for sanitary sewage from the said basin in the same ratio or proportion as other lands affected by or benefited from such drainage improvements may be assessed or taxed, nor from its obligation to maintain the culvert and structure above mentioned in a safe condition for the operation of its railway, and the traffic transported thereon.

7. The parties will make a joint application to the Board of Railway Commissioners for Canada, under Section 269 of *The Railway Act*, for an Order authorizing and approving of the construction of the said drainage works across the right-of-way and railway of the Company, in the terms of this agreement.

8. The Commission shall at its own expense apply for the necessary legislation to confirm and validate this agreement and the said Company will facilitate the obtaining of the same whereupon this agreement shall become binding upon the parties hereto.

9. This Agreement shall enure to and be binding upon the parties hereto, their successors and assigns.

In witness whereof the parties hereto have affixed their corporate seals, attested under the hands of their duly authorized officers.

ESSEX BORDER UTILITIES COMMISSION

(Sgd.) EUGENE JANISSE,  
*Chairman.*  
R. B. BRAID,  
*Secretary.*

CANADIAN PACIFIC RAILWAY COMPANY.

(Sgd.) GRANT HALL, *Vice President.*

H. C. OSWALD, *Asst. Secretary.*

## SCHEDULE "D"

This Agreement made the 22nd day of January, one thousand nine hundred and thirty:

BETWEEN:

ESSEX BORDER UTILITIES COMMISSION, hereinafter called  
The Commission,

of the one part,

—and—

PERE MARQUETTE RAILWAY COMPANY, hereinafter called  
The Company,

of the other part.

Whereas the Commission is authorized and empowered by *The Consolidated Essex Border Utilities Act, 1929*, a Statute of the Legislature of the Province of Ontario, amongst other things to construct certain works for the drainage of the Grand Marais Basin, which drainage area is defined in the report hereinafter referred to;

And whereas J. Clark Keith, the engineer of the Commission, pursuant to the said Act, did make a report for the said purpose, dated the first day of August, 1929, wherein and whereby he did recommend a means for carrying off storm water from certain areas of the Town of Walkerville, the Townships of Sandwich East and Sandwich West, draining into the Grand Marais Basin, which said report was adopted by the Commission;

And whereas the proposed drainage work extends across the right of way and railway of the Company, being part of farm lots 97 and 98 in the Second Concession of the Township of Sandwich East, partly by means of an open drain, and partly through a bridged crossing;

And whereas the construction of the proposed drainage work amongst other things, will require the lowering of the bottom of the Grand Marais at said bridged crossing and the increasing of the width thereof;

And whereas a plan has been prepared showing amongst other things the location of the said drainage work across its property, and the proposed changes to the said bridged crossing.

And whereas the Company is willing to make the alteration to its bridged crossing subject to the terms and conditions of this Agreement as hereinafter contained.

Now therefore the parties hereto agree as follows:—

1. The Company shall, upon the request of the Commission make the necessary structural alterations as to the bridged-crossing of the Grand Marais under its main line now located on parts of farm lots Ninety-seven (97) and Ninety-eight (98) in the Second Concession of the Township of Sandwich East in the Province of Ontario, so that the bottom of the said Grand Marais may be lowered to the grade of and be established at an elevation of 594 feet above Dominion Observatory Atlantic sea level datum, and so that the present width will be increased to twenty (20) feet which said proposed changes are approved of by the parties hereto.

2. The Company, in consideration of its performing the above work at its expense, shall be and it is hereby released and discharged from all and every special assessment or tax which might now or hereafter be imposed or levied under proceedings taken under the *Municipal Drainage Act*, the *Consolidated Essex Border Utilities Act, 1929*, the *Dominion Railway Act* or any other Statute, and amendments thereof, for the main-

tenance



tenance, repair and/or improvement of the Grand Marais Drain, and/or the work now proposed to be undertaken by the Commission under the report hereinabove referred to, and/or any other drainage works, undertaken for the drainage from the Grand Marais Basin, under or across the rights of way and railway of the Company.

3. The Company shall have the option of deepening the open drain on its right of way on each side of the said bridged crossing, but at the expense of the Commission, at a price to be mutually agreed upon between the respective chief engineers of the parties hereto; and the Commission agrees to pay the costs thereof within fifteen days after bills of expense have been presented by the Company from time to time. In the event of the Company not exercising the option herein provided for, and/or should the respective engineers of the parties hereto be unable to agree upon the price, then the Commission may do the said work, but in accordance with the written directions of the Chief Engineer of the Company, to whose satisfaction the said work shall be completed; provided, however, that should any dispute arise as to the directions given by the Chief Engineer of the Company as aforesaid, such disputes shall be referred to the Chief Engineer of the Board of Railway Commissioners for Canada, whose decisions shall be final and binding upon the parties hereto.

4. The Commission agrees that before the Company shall be bound to carry out the above alteration to its bridged crossing the outlet for the drainage according to the plans of the Engineer of the Commission shall be constructed by the deepening of the Grand Marais to the southwest and the lowering of the floor of the Michigan Central Railway Company's culverts but upon the outlet being provided the Company shall forthwith proceed with its part of the work.

5. When and so often as it shall happen that for the better maintenance of the drainage work, and to provide a proper flow of the drain through the bridged crossing, the bottom of the said bridged crossing requires to be cleaned by the removing therefrom of the silt and other deposit thereon, the Engineer of the Commission shall notify the Chief Engineer of the Company, in writing, of what work is required to be done, and the Company shall have the option of doing the work, but at the expense of the Commission, and the Commission covenants and agrees with the Company to pay all bills of expense which may be rendered therefor, within fifteen days of presentation thereof, by the Company, from time to time; provided, however, that should the Company not exercise the option of doing the work, the Commission shall be permitted to enter upon the Company's lands and carry out the work, but in accordance with the directions and specifications in writing which will be furnished by the Chief Engineer of the Company, and to whose satisfaction the work shall be completed by the Commission; provided, further, that should disputes arise as to either the items of the expense, where the Company has exercised its option to do the work, and/or the specifications and the manner in which the same is, by the Chief Engineer of the Company, directed to be undertaken by the Commission, all such disputes shall be referred to the Chief Engineer of the Board of Railway Commissioners for Canada, whose decision thereon shall be final and binding upon the parties hereto.

6. Provided always, that nothing herein contained shall relieve the Company from any assessment or tax imposed for constructing or maintaining drains for surface, storm or waste water, or sanitary sewage from the said basin in the same ratio or proportion as other lands affected by or benefited from such drainage improvements may be assessed or taxed, nor from its obligation to maintain the bridged crossing above mentioned in a safe condition for the operation of its Railway, and the traffic transported thereon.

7. The parties will make a joint application to the Board of Railway Commissioners for Canada, under Section 269 of the *Railway Act*, for an Order authorizing and approving of the construction of the said drainage works across the right of way and Railway of the Company, in the terms of this Agreement.



8. The Commission shall at its own expense apply for the necessary legislation to confirm and validate this Agreement and the said Company will facilitate the obtaining of the same whereupon this Agreement shall become binding upon the parties hereto.

9. This Agreement shall enure to and be binding upon the parties hereto, their successors and assigns.

In witness whereof the parties hereto have affixed their corporate seals, attested under the hands of their duly authorized officers.

ESSEX BORDER UTILITIES COMMISSION

(Sgd.) EUGENE JANISSE,  
*Chairman.*

R. B. BRAID,  
*Secretary.*

PERE MARQUETTE RAILWAY COMPANY

(Sgd.) R. J. BOWMAN, *Vice President.*

## CHAPTER 77.

## An Act respecting the Village of Forest Hill.

*Assented to 3rd April, 1930.*

## Preamble.

**W**HEREAS the corporation of the village of Forest Hill has by its petition prayed for special legislation in regard to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

## Short title.

**1.** This Act may be cited as *The Village of Forest Hill Act, 1930.*

## Confirmation of tax sales and deeds.

**2.**—(1) All sales of lands within the village of Forest Hill made prior to the year 1928, which purport to have been made by the said corporation for arrears of taxes in respect of the lands so sold are hereby validated and confirmed, and all conveyances of land so sold executed by the reeve and clerk of the corporation purporting to convey the said lands so sold to the purchaser thereof or his assigns, or to the said corporation, shall have the effect of vesting the lands so sold in the purchaser or his assigns, or his or their heirs or assigns, or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of said sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the said lands were sold.

## Pending litigation not affected

(2) Nothing in this section contained shall affect or prejudice the rights of any person under pending litigation.

## Power to use proceeds of By-law No. 326 for sewer construction purposes.

**3.**—(1) The council of the corporation of the village of Forest Hill may by by-law provide that the whole or part of the moneys received from the sale of the debentures issued pursuant to By-law No. 326 of the corporation intituled: "A By-law to provide for borrowing the sum of \$75,000.00 for the purpose of acquiring a site and erecting thereon a building for use as a village hall and for offices for the village officials,"

shall

shall be applied toward the cost of construction of the sewers constructed pursuant to By-law No. 360 of the corporation intituled: "A By-law to authorize the construction of storm and sanitary tunnel sewers in Bathurst Street and in Eglinton Avenue," and the council is authorized to issue debentures for the balance of the cost of the construction of the said sewers mentioned in By-law No. 360.

(2) Any balance of moneys received from the sale of the said debentures issued pursuant to By-law No. 326 may be applied toward the cost of any work constructed at the expense of the corporation at large.

Power to  
apply any  
balance  
from sale of  
debentures  
on account  
of works  
chargeable  
to corpora-  
tion.

(3) The council of the corporation may provide that the interest received from the proceeds of the sale of the said debentures issued pursuant to By-law No. 326, may be applied in the purchase of equipment for the village offices.

Provision  
for the use of  
interest from  
debentures  
for purchase  
of equipment

4. This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-  
ment of Act.

## CHAPTER 78.

## An Act respecting the City of Fort William.

*Assented to 3rd April, 1930.*

## Preamble.

**W**HEREAS the corporation of the city of Fort William has by petition represented that by-law number 3054 of the said city, set out in schedule "A" hereto, was duly published, as required by law, in a newspaper published at Fort William, prior to the date of voting thereon; that the said by-law number 3054 was submitted to the electors of the said city entitled to vote thereon on the 6th day of January, 1930, when out of a total of 4,613 votes entitled to be polled in respect thereof, 1,244 votes were polled in favour thereof and 495 against; that the said by-law number 3054 was finally passed by the council of the said city on the 28th day of January, 1930; and that no application has been made to quash the said by-law, nor is any action pending, wherein the validity of the said by-law is or may be called in question; and whereas the said corporation has by petition further represented that its rateable property as appears by its last revised assessment roll is \$29,812,640, and its present debenture debt is \$6,239,761, made up as follows: Street Railway debenture debt, \$1,238,000; Waterworks debenture debt, \$1,643,000; Electric Light debenture debt, \$446,500; Telephone debenture debt, \$300,000; General debenture debt, \$1,305,011; Schools debenture debt, \$1,307,250, of which no part of the principal or interest is in arrear and for the payment of which a sinking fund of \$2,777,670.85 has been provided; and whereas the said corporation has by petition prayed for special legislation in respect of the above and other matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

## Short title.

1. This Act may be cited as *The City of Fort William Act, 1930.*

By-law 3054,  
\$31,500 for  
street paving  
confirmed.

2. By-law No. 3054 of the said city, intituled "A By-law to raise the sum of \$31,500 by way of debentures for the

purpose

purpose of paying the cost of certain street paving" as set out in schedule "A" hereto, is confirmed and declared to be legal, valid and binding upon the said city corporation and the ratepayers thereof.

3.—(1) All sales of land in the city of Fort William made prior to the 1st day of January, 1929, and which purport to be made by the corporation of the said city for arrears of taxes and costs in respect of lands so sold are hereby validated and confirmed and all conveyances of land so sold executed by the mayor and treasurer of the said city, purporting to convey the said lands so sold to the purchaser or his assigns, are hereby validated and confirmed, and shall have the effect of vesting the lands so sold and conveyed, or purported to be sold and conveyed, and the same are hereby vested in the purchaser or his assigns and his and their heirs and assigns in fee simple, free and clear of and from all right, title and interest whatsoever of the owners thereof at the time of such sale or their assigns and of all charges and encumbrances thereon, except taxes accrued since those for non-payment whereof the said lands were sold. <sup>Tax sale and deeds confirmed.</sup>

(2) Subsection 1 of this section shall extend and apply to cases where the city or any person or persons in trust for it, or on its behalf, became the purchaser of lands at any such tax sale. <sup>Municipality as purchaser.</sup>

(3) Nothing in this section contained shall affect any action, litigation or other proceeding now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and to the same extent as if this section had not been passed. <sup>Pending litigation not affected.</sup>

4. The provisions of this Act other than section 3 shall come into force on the day upon which it receives the Royal Assent. Section 3 shall come into force on July 1st, 1930. <sup>Commencement of Act.</sup>

## SCHEDULE "A"

### CITY OF FORT WILLIAM

BY-LAW No. 3054

A By-law to raise the sum of \$31,500 by way of Debentures for the purpose of paying the cost of certain street paving.

Whereas the Council is of the opinion that City should bear the cost of the following paving done during the year 1929, namely:—

May Street from Dease Street to William Street, cost.....	\$36,095 00
Less Northern Development Branch's proportion.....	11,045 00
	<u>\$25,050 00</u>
Syndicate Avenue from Duncan to Walsh Streets (not including Street Railway Right-of-way portion).....	4,151 00
Intersection of Victoria Avenue and Syndicate Avenue (including Street Railway Grand Union).....	2,016 13
	<u>\$31,217 13</u>
Additional amount allowed for issuing and sale of debentures, etc.....	282 87
	<u>\$31,500 00</u>
Total.....	<u>\$31,500 00</u>

And whereas the said sum of \$31,500.00 is the amount of the debt intended to be created hereby

And whereas the amount of the whole rateable property of the said City of Fort William according to the last revised Assessment Roll is \$29,812,640.

And whereas the existing Debenture Debt of the said City, exclusive of local improvement Debentures, amounts to \$6,239,761, made up as follows:

Street Railway Debenture Debt.....	\$1,238,000
Waterworks Debenture Debt.....	1,643,000
Electric Light Debenture Debt.....	446,500
Telephone Debenture Debt.....	300,000
General Debenture Debt.....	1,305,011
School Debenture Debt.....	1,307,250

of which no part of the principal or interest is in arrear and for the payment of which a sinking fund of \$2,777,670.85 has been provided;

And whereas in order to provide for the said debt it is expedient to issue debentures of the said Corporation to the amount of \$31,500, bearing interest at five and one-half ( $5\frac{1}{2}$ ) per centum per annum.

And whereas it will require the sum of \$1,732.50 to be raised annually for a period of fifteen years (the currency of the Debentures to be issued under and by virtue of this By-law) to pay the interest on the said debt, and the sum of \$1,693.65 to be raised annually during the said period for the payment of the said debt intended to be created by this By-law, such last mentioned sum being sufficient with the estimated interest on the investment thereof to discharge the said debt when the same becomes payable, making in all the sum of \$3,426.15 to be raised annually as aforesaid for the payment of the said debt and interest.

And whereas it will require the sum of \$3,426.15 to be raised annually for a period of fifteen years by a special rate on the rateable property hereinafter mentioned in the said City for the payment of the said debt and interest aforesaid;

Therefore,

Therefore, the Council of the Corporation of the City of Fort William enacts as follows:

1. It shall and may be lawful for the said Corporation and it is hereby empowered to borrow the said sum of \$31,500 on the credit of it, the said Corporation, for the purposes aforesaid and to issue Debentures of the said Corporation to the amount of \$31,500, either in currency or in Sterling money, in sums of not less than \$100 Canadian currency or £20 Sterling, each payable within fifteen years from the date of issuing such Debentures and to bear interest at five and one-half (5½%) per centum per annum payable half-yearly.

2. The said Debentures shall all bear the same date and shall be issued within two years after the day on which this By-law is passed and may bear any date within such two years, and shall be signed by the Mayor and Treasurer and sealed with the Seal of the Corporation.

3. During the said period of fifteen years (the currency of the Debentures to be issued hereunder) there shall be raised and levied annually upon the whole rateable property in the said City in addition to all other rates, levies and assessments, the sum of \$1,732.50 to pay the interest on the said Debentures and also the further sum of \$1,693.65 as a sinking fund for the payment of the said debt at the maturity thereof, making in all the sum of \$3,426.15 to be raised annually as aforesaid.

4. The said Debentures shall have attached thereto coupons for the payment of the interest thereon. The signatures of the Treasurer upon the interest coupons may be printed, lithographed or engraved and the said Debentures as to principal and interest, shall be payable at the office of the City Treasurer, Fort William, Canada; Bank of Montreal, Montreal, Canada; Toronto, Canada; Bank of Montreal, New York City; and Bank of Montreal, London, England.

5. Every Debenture to be issued hereunder shall contain a provision in the following words: "This Debenture or any interest therein, shall not, after a certificate of ownership has been endorsed thereon by the Treasurer of this Municipal Corporation, be transferable except by entry by the Treasurer or his Deputy, in the Debenture Registry Book of the said Corporation, at the said City of Fort William," or to like effect.

6. This By-law shall come into force on the day of the final passing thereof.

Given under the Corporate Seal of The Corporation of the City of Fort William as witnessed by the hands of its Mayor and Clerk, this 28th day of January, A.D. 1930.

N. B. DARRELL,  
*Mayor.*

A. McNAUGHTON,  
*Clerk.*

[SEAL]

## CHAPTER 79.

## An Act respecting the Town of Frood Mine.

*Assented to 3rd April, 1930.*

## Preamble.

**W**HEREAS the municipal corporation of the town of Frood Mine in the district of Sudbury has by its petition represented that it is desirable that the land hereinafter described be annexed to the town of Frood Mine, and has by its petition prayed that an Act may be passed for such purpose; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

## Short title.

**1.** This Act may be cited as *The Town of Frood Mine Act, 1930.*

Description  
of land  
annexed.

**2.**—(1) The land hereinafter described, namely:

The north half of lot number seven in the sixth concession of the township of McKim, containing one hundred and sixty acres more or less

is hereby annexed to and shall form part of the town of Frood Mine.

Date of  
annexation.

(2) Such annexation shall be deemed to have taken place and shall have effect on, from and after the 1st day of January, 1931.

Adjustment  
of assets and  
liabilities.

**3.** There shall be an adjustment of assets and liabilities as between the township of McKim and the town of Frood Mine, as if the said land had been annexed under the provisions of *The Municipal Act.*

Rev. Stat.,  
c. 233.Commence-  
ment of  
Act.

**4.** This Act shall come into force on the day upon which it receives the Royal Assent.



## CHAPTER 80.

## An Act respecting the City of Galt.

*Assented to 3rd April, 1930.*

**W**HEREAS the municipal corporation of the city of Galt <sup>Preamble.</sup> has by its petition represented that it is desirable that By-law No. 2799 of the said corporation set out in schedule "1" hereto, and the debentures to be issued thereunder should be validated and confirmed; and whereas the said corporation has by its petition prayed that an Act may be passed for the above purpose; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The City of Galt Act, 1930.* <sup>Short title.</sup>
2. By-law No. 2799 of the corporation of the city of Galt <sup>By-law No. 2799 confirmed.</sup> set out in schedule "1" hereto and all debentures to be issued thereunder are confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.
3. This Act shall come into force on the day upon which <sup>Commence-ment of Act.</sup> it receives the Royal Assent.

## SCHEDULE "1."

## BY-LAW NUMBER 2779.

A By-law to provide for the borrowing on debentures the sum of \$25,000.00 for the purpose of defraying the cost of the installation of an artificial ice plant in and in connection with the Galt Arena within the Municipality of the City of Galt.

Whereas the Corporation of the City of Galt has become the owner in fee simple of the lands and premises on which is situate the Galt Arena.

And whereas the Council of the said Corporation deem it advisable to instal an artificial ice plant in and in connection with said Arena and to borrow the sum of \$25,000.00 for such purpose.

And whereas it is therefore expedient to pass this by-law and to borrow the sum of \$25,000.00 on the debentures of the said Municipality for the purpose of installing the said artificial ice plant.

And where it will be necessary to borrow the sum of \$25,000.00 and to issue debentures of the said City of Galt therefor, bearing interest at the rate of 5 per centum per annum which amount of \$25,000.00 is the amount of the debt intended to be created by this By-law.

And whereas it is expedient to make the principal of the debt repayable in yearly sums during the period of fifteen years in such amounts respectively, that the aggregate amount payable for principal and interest, in each year shall be equal as nearly as may be to the amount so payable for principal and interest in each of the other years.

And whereas it will be necessary to raise the annual sum of \$2,408.56 during the period of fifteen years to pay the said principal money and interest as they become due.

And whereas the amount of the whole rateable property of the Municipality according to the last revised assessment roll is \$11,046,630.00.

And whereas the amount of the debenture debt of the Corporation is \$1,799,539.54, no part of the principal or interest of which is in arrears.

Be it therefore enacted by the Municipal Council of the Corporation of the City of Galt as follows:—

1. The said sum of \$25,000.00 shall be used and expended for the purpose of installing an artificial ice plant in said Arena and for the said purpose the sum of \$25,000.00 shall be borrowed and debentures of the said City of Galt shall be issued therefor in sums of not less than \$100.00 each, bearing interest at the rate of 5 per centum per annum payable yearly and having interest coupons attached thereto. Each of the said debentures shall be issued within two years from the day on which this By-law is passed and shall be dated on the day of issue thereof and shall be payable in fifteen annual instalments of the respective sums set forth in Schedule "A" hereto attached, at any place or places in Canada.

2. The debentures shall be sealed with the seal of the Corporation and signed by the Mayor of the Corporation and by the Treasurer, and shall have the coupons for the interest attached to them, which shall be signed by the Treasurer of the said Corporation, and his signature may be printed, lithographed or engraved.

3. During fifteen years the currency of the said debentures there shall be raised annually by special rates on all rateable property in the City of Galt the sum of \$2,408.56 for the purpose of paying the amount due in each of the said years for principal and interest in respect of the said debt as shown in Schedule "A" hereto attached.

4. In the event of the cost of the installation of the said artificial ice plant being less than \$25,000.00 debentures for the amount of said cost shall be issued in proportionate amounts as hereinbefore set out and the annual rate to be raised shall be reduced accordingly.

5. The debentures may contain any provision for the registration of them authorized by law.

6. The said Corporation may instal the artificial ice plant provided for in this By-law and may manage and operate the said Arena as its Council may direct, either by a committee of the Council or by a Board of Management consisting of three persons, being Municipal electors of the City of Galt, appointed and holding office during the pleasure of the said Council.

7. This By-law shall take effect on the day of the passing thereof subject to its being assented to by the electors.

Passed this 4th day of November, A.D. 1929.

(Sgd.) A. W. HILBORN, *Mayor*.

L.S.

(Sgd.) JOSEPH MCCARTNEY, *Clerk*.

*Schedule "A"*

	Interest	Principal	Total
1.....	\$1,250 00	\$1,158 56	\$2,408 56
2.....	1,192 07	1,216 49	2,408 56
3.....	1,131 25	1,277 31	2,408 56
4.....	1,067 39	1,341 17	2,408 56
5.....	1,000 33	1,408 23	2,408 56
6.....	929 92	1,478 64	2,408 56
7.....	855 98	1,552 58	2,408 56
8.....	778 35	1,630 21	2,408 56
9.....	696 84	1,711 72	2,408 56
10.....	611 26	1,797 30	2,408 56
11.....	521 39	1,887 17	2,408 56
12.....	427 03	1,981 53	2,408 56
13.....	327 96	2,080 60	2,408 56
14.....	223 93	2,184 63	2,408 56
15.....	114 70	2,293 86	2,408 56
		<hr/>	
		\$25,000 00	

## CHAPTER 81.

## An Act respecting the City of Guelph.

*Assented to 3rd April, 1930.*

Preamble.

**W**HEREAS the corporation of the city of Guelph has, by its petition, represented that it is desirable that the said corporation be authorized and empowered to take over and manage The Guelph General Hospital and all its assets as a municipal hospital and to pay and satisfy all debts and liabilities and provide for the future maintenance of the said hospital; and whereas The Guelph General Hospital was incorporated by chapter 111 of the Acts of the Parliament of the late Province of Canada passed in the 24th year of the reign of Her late Majesty Queen Victoria, which Act of incorporation has since been amended by an Act passed in the 39th year of the reign of Her late Majesty Queen Victoria, chaptered 53, and by an Act passed in the 7th year of the reign of His late Majesty King Edward VII, chaptered 119, and by an Act passed in the fifth year of the reign of His Majesty King George V, chaptered 88, and in pursuance of the provisions of the said Acts, The Guelph General Hospital has been established and maintained in the city of Guelph for many years as a public hospital, having in connection therewith a training school for nurses and also an isolation hospital, which latter was specially authorized by an Act passed in the second year of the reign of His Majesty King George V, chaptered 99; and whereas The Guelph Home for the Friendless was incorporated by an Act passed in the seventh year of the reign of His late Majesty King Edward VII, chaptered 119, and by the said Act it is provided that the board of directors of The Guelph General Hospital shall appoint six of its own members to form a board of trustees for the management of the said home and the said home was erected upon lands belonging to The Guelph General Hospital under the provisions of the above mentioned Act; and whereas the corporation of the city of Guelph has, by its petition, further prayed that it be authorized and empowered to engage, and if necessary, contract for the appointment of an industrial commissioner for the city of Guelph at such salary and upon such terms as the council of the said corporation

may

may deem expedient; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Guelph General Hospital Act, 1930.* Short title.

2. In this Act,—

Interpreta-  
tion.

- (a) "Commission" shall mean the commission to be appointed to manage the affairs of The Guelph General Hospital.
- (b) "Corporation" shall mean the corporation of the city of Guelph.
- (c) "Hospital" shall mean The Guelph General Hospital, including the Isolation Hospital and the Nurses' Home and Training School.
- (d) "Home" shall mean The Guelph Home for the Friendless.

3. The said hospital, and the property, real and personal, belonging thereto and the revenues, business and affairs thereof shall, upon the passing of this Act be vested in the corporation in fee simple, subject to the registered mortgage thereon and the corporation shall thenceforth hold, own and manage the same as and for a municipal hospital. The lands and premises so to be vested are those described in schedule "A" to this Act. Property of  
hospital  
vested in  
city.

4. The corporation shall pay and satisfy all lawful debts and liabilities of The Guelph General Hospital and the amount of such debts and liabilities shall forthwith, after the passing of this Act, be fixed and ascertained by a joint audit to be conducted by the auditor of The Guelph General Hospital and by the treasurer of the city of Guelph. Liability of  
city for  
debts.

5. The council of the corporation shall appoint a commission of seven persons which shall include the mayor of the city of Guelph, for the time being, which said commission shall have the management and control of the said hospital and shall have power to appoint, engage and remove all officers, nurses, servants and other persons engaged in or about the said hospital. All the members of the said commission shall be residents of the city of Guelph and shall possess Appointment  
of Com-  
mission to  
control and  
manage  
hospital.

the property qualifications similar to those required for members of the council of the city of Guelph but no member of the said commission, except the mayor, shall be a member of the said council. In the first instance, of the six members of the said commission to be appointed as aforesaid, two shall be appointed for a term of three years, two for a term of two years and two for a term of one year and thereafter at the first meeting of the council of the said corporation in each year, the said council shall appoint two members of the said commission to fill the places of the retiring members. Members of the said commission, upon retirement, shall be eligible for reappointment. Four members of the said commission shall constitute a quorum for all purposes.

Appointment  
of chairman  
and secre-  
tary.  
Manage-  
ment.

**6.** The said commission at its first meeting, and thereafter in each year, shall appoint a chairman and secretary. The said commission shall have power to make rules and regulations for the control and management of the said hospital and all matters pertaining thereto.

Assent of  
council to  
expenditure.

**7.—(1)** The said commission shall not undertake any expenditure in connection with the said hospital without first obtaining the authority by by-law or resolution of the council of the said corporation.

Special rate  
for main-  
tenance.

**(2)** The said corporation shall have power and authority, if it deems proper, to levy a special rate of taxation annually, or in any year or years hereafter, upon all the rateable property in the city of Guelph for the purpose of maintaining the said hospital, but such annual or special rate shall in no case exceed two mills on the dollar.

Payment of  
members of  
Commission.

**8.** The council of the said corporation shall have power, if it shall deem proper, to pay the members of the said commission, or any member thereof, such amount by way of salary or remuneration, as the said council may deem proper.

Control and  
management  
of Home by  
Commission.

**9.** The said commission shall undertake the control and management of The Guelph Home for the Friendless, and for this purpose the said commission is hereby constituted a board of trustees for the said home. The said commission shall have the same power to make rules and regulations for the control and management of the said home as it has in respect of the said hospital and shall also have power to appoint such persons or committees as the said commission shall deem proper to act with, or for the said commission in the control and management of the said home.

Appoint-  
ment of  
industrial  
com-  
missioner.

**10.** The said corporation is hereby authorized and empowered, if it deems necessary, to contract with any person

as an industrial commissioner for the city of Guelph at such salary and for such term of years not exceeding five years, as the said council may from time to time deem expedient.

**11.** Section 7 of chapter 102 of the Acts passed in 1929 is <sup>1929, c. 102</sup> <sup>s. 7,</sup> hereby amended by striking out the figures "1924" where they <sup>amended.</sup> occur and substituting therefor "1923."

**12.** This Act shall come into force on the day upon which <sup>Commence-</sup> it receives the Royal Assent. <sup>ment of</sup> <sup>Act.</sup>

## SCHEDULE "A"

ALL AND SINGULAR those certain parcels or tracts of lands and premise-situate, lying and being in the City of Guelph, in the County of Wellings-ton and being described as follows:—

Firstly: Lots numbers thirty-four (34) thirty-five (35) thirty-six (36), thirty-seven (37), thirty-eight (38), thirty-nine (39), forty (40) and forty-one (41) in George McKenzie Stewart's Survey of parts lots nine (9) and ten (10) in the first range, division "F," formerly in the Township, now in the City of Guelph, according to Registered Plan No. 133.

Secondly: Lots numbers fifty-four (54), fifty-five (55), sixty-one (61), sixty-two (62), sixty-three (63), sixty-four (64) and the east half of Lot Number sixty-five (65), and sixty-seven (67) in Mitchell's Survey in the City of Guelph according to a plan thereof made by T. W. Cooper, P.L.S., filed in the Registry Office at Guelph and numbered 221.

Thirdly: Being composed of parts of lots numbers thirteen (13) and fourteen (14) in the first range of Division "F," formerly in the Township of Guelph now in the City of Guelph described as follows:—

Commencing where a post has been planted at the northerly boundary of Delhi Street in the direction of South 45 degrees East at a distance of 29 chains and 96 links more or less from a point where the said northerly boundary of Delhi Street intersects the northwesterly boundary of the said City of Guelph;

Thence North 45 degrees East, 8 chains and 3 links and two-thirds of a link, more or less to a stone monument;

Thence North 45 degrees west, 10 chains, 58 links more or less to a post;

Thence South 45 degrees west 8 chains, 2 links more or less to the said northerly boundary of Delhi Street;

Thence South 45 degrees East along the said northerly boundary of Delhi Street, 10 chains and 58 links more or less to the place of beginning, containing by admeasurement eight and one-half ( $8\frac{1}{2}$ ) acres of land, be the same more or less.

Fourthly: All and any other lands, hereditaments and premises, situate in the said City of Guelph or in the said Township of Guelph, owned by the said Guelph General Hospital.



## CHAPTER 82.

## An Act respecting the City of Hamilton.

*Assented to 3rd April, 1930.*

**W**HEREAS the corporation of the city of Hamilton has <sup>Preamble.</sup>  
 by petition prayed for special legislation in respect  
 of the matters hereinafter set forth; and whereas it is expedient  
 to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent  
 of the Legislative Assembly of the Province of Ontario,  
 enacts as follows:

1. This Act may be cited as *The City of Hamilton Act, 1930.* <sup>Short title.</sup>

2.—(1) The council of the corporation of the city of <sup>Power to</sup>  
 Hamilton may, without submitting the same to the electors <sup>borrow</sup>  
 qualified to vote on money by-laws, pass a by-law or by-laws <sup>\$322,500</sup>  
 for acquiring and expropriating lands in the northeastern <sup>for acquiring</sup>  
 portion of the city and adjoining lands in the township of <sup>land for</sup>  
 Saltfleet, and for selling or leasing the same for the purpose <sup>industrial</sup>  
 of sites for the establishment and carrying on of industries <sup>sites.</sup>  
 and industrial operations, and for borrowing the sum of  
 \$322,500 by the issue and sale of debentures payable at any  
 time or times within a period not exceeding thirty years from  
 the date of the issue thereof for paying the cost of the lands  
 acquired or to be acquired for the said purpose.

(2) Any lands heretofore acquired by the said corporation <sup>Case of</sup>  
 for the said purpose situate as mentioned in subsection 1, <sup>lands already</sup>  
 shall be deemed to have been acquired under authority of <sup>acquired.</sup>  
 subsection 1, and the acquiring of such lands is hereby  
 confirmed.

(3) All moneys received from the sale or rentals shall be <sup>Application</sup>  
 applied in payment of the annual instalments of the debt <sup>of proceeds</sup>  
 incurred under this section or in the purchase for cancellation <sup>from sale of</sup>  
 of any general debentures of the city. <sup>land.</sup>

(4) The said council is hereby authorized to pass the <sup>Application</sup>  
 necessary by-laws for the carrying out of the provisions above <sup>of</sup>  
 1929, c. 39.

set forth, and the provisions of *The Industrial Sites Act, 1929*, save as hereby varied and not inconsistent with the provisions of this section, shall apply to the said lands.

Land liable  
to assess-  
ment and  
taxation.

(5) Any lands heretofore or hereafter acquired in the township of Saltfleet for the purposes set out in this section, shall, notwithstanding anything contained in *The Assessment Act*, be liable to assessment and taxation in the same manner and to the same extent as they would be if not owned by the corporation.

Power to  
borrow  
\$375,100  
for certain  
purposes  
without  
assent of  
electors.

**3.—**(1) The council of the corporation of the city of Hamilton may, without submitting the same to the electors qualified to vote on money by-laws, pass a by-law or by-laws for borrowing the sum of \$375,100 or any portion thereof by the issue and sale of debentures for the following purposes and objects, namely:

- |  |           |
|--|-----------|
| (a) For acquiring from the Canadian National Railways .651 of an acre of land, south of Brant Street, expropriated and taken by the City Corporation in 1912 for the extension of Birch Avenue to Gilkinson Street, and described in by-law number 1226, passed 26th December, 1911, the sum of..... | \$2,600   |
| (b) The construction of a bridge at Macnab Street over the main line of the Canadian National Railways, authorized by Order No. 45926, dated 3rd day of December, 1929, of The Board of Railway Commissioners for Canada, and approaches, the sum of.....  | 110,000   |
| (c) The completion of the Home for Aged and Infirm, and furnishings and equipment, the sum of.....   | 27,000    |
| (d) Widening the pavement on Main Street from James Street to Queen Street, the sum of..   | 79,000    |
| (e) Improvements, including alterations, to the buildings of the Hamilton General Hospital and equipment therefor, the sum of.....   | 86,500    |
| (f) The construction of a new machine shop and storage shed with equipment, the sum of.....  | 70,000    |
|  | \$375,100 |

(2) The said debentures shall be made payable at any time <sup>Term of</sup> or times within a period not exceeding twenty years from the <sup>debentures.</sup> date of the issue thereof.

4.—(1) By-law No. 3728 for borrowing the sum of \$150,000 <sup>By-law</sup> by the issue of debentures for the Northwestern Highway <sup>No. 3728</sup> Entrance Development, York Street, and the construction of <sup>confirmed.</sup> swimming pool, with dressing rooms at Scott Park, assented to by the electors at the municipal election on December 3rd, 1928, and passed by the council of the corporation of the city of Hamilton on the 26th day of December, 1929, and all debentures issued or to be issued under and pursuant to said by-law are hereby confirmed and declared to be legal, valid and binding upon the corporation of the city of Hamilton and the ratepayers thereof.

(2) The council of the corporation of the city of Hamilton <sup>Construction</sup> may pass a by-law to provide for the construction of a swim- <sup>ion of</sup> ming pool with dressing rooms in Scott Park, and for the <sup>swimming</sup> transfer of the control and management of the same to the <sup>pool and</sup> Board of Park Management of the city of Hamilton, and it <sup>manage-</sup> shall not be necessary to obtain an order of the Railway and <sup>ment of by</sup> Municipal Board setting apart the lands required therefor <sup>Parks Board.</sup> pursuant to section 12 of *The Public Parks Act*.

Rev. Stat.,  
c. 248.

5. This Act shall come into force on the day upon which it <sup>Commence-</sup> receives the Royal Assent. <sup>ment of Act</sup>

## CHAPTER 83.

## An Act to incorporate the Town of Harrow.

*Assented to 3rd April, 1930.*

Preamble.

**W**HEREAS the police village of Harrow has been in existence for a number of years and is a part of the township of Colchester South in the county of Essex and is situated a short distance from the north shore of Lake Erie; and whereas the shore of Lake Erie just south of the said police village is becoming a very important part of the township of Colchester South, particularly at the villages of Oxley and Colchester, where many subdivisions are being laid out and built upon both for summer and permanent residences, and the district is rapidly growing in population and is in process of not only becoming a popular summer resort but also for permanent residences for the inhabitants of Windsor, Border towns and cities and the city of Detroit; and whereas the said police village of Harrow is and will continue to be the market place for this growing district; and whereas the said police village is destined to grow and ultimately will form an important centre for this part of the county of Essex; and whereas the statutory powers of a village are too limited to enable proper service to be given to the village and adjoining districts; and whereas by reason of the aforesaid facts the trustees of the said police village of Harrow, requiring fuller powers to enable it to cope with the rapid growth of the village and district, has petitioned for the passing of this Act of incorporation; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Incorporation.

**1.** The inhabitants of the lands described in section 2 are hereby constituted a corporation or body politic under the name of "The Corporation of the Town of Harrow," separate and apart from the township of Colchester South.

Boundaries of town.

**2.** The said town of Harrow shall comprise and consist of all that part of the said township of Colchester South described as follows:

All

All and singular that certain parcel or tract of land and premises, situate, lying and being in the township of Colchester South, including the whole of the police village of Harrow, in the county of Essex and Province of Ontario, being composed of part of lot nine (9) and all of lot ten (10) in the second concession, part of lots seven (7), twelve (12) and thirteen (13) in the Gore, part of the road between the Gore and second concessions, part of the road between the second and third concessions, and part of the road between lots seven (7) and twelve (12) in the Gore, all in the said township of Colchester South, and which said parcel or tract may be more particularly described as follows:

Commencing at the intersection of the centre line of the third concession road, with the northerly production of the limit between lots 10 and 11 in the second concession; thence westerly, following the centre line of the road between concessions two and three, four thousand eight hundred and seventy-one feet (4,871 feet) more or less to the northerly production of the easterly limit of the Roseborough Road (or road between lots 8 and 9 in the second concession; thence southerly to and along the easterly limit of the Roseborough Road, three thousand eight hundred and nineteen feet (3,819 feet) more or less, to the northerly limit of the road between the Gore and second concessions; thence easterly, following the last-mentioned limit, fifty-six feet (56 feet) more or less, to a point distant one thousand and thirty-seven feet (1,037 feet) measured westerly along the northerly limit of the road between the Gore and second concessions, from the northerly production of the westerly limit of the road between lots 7 and 12, in the Gore; thence southerly parallel with the westerly limit of the road between lots 7 and 12, in the Gore, one thousand one hundred and forty-nine feet (1,149 feet) more or less, to a wire fence forming the limit between the property of Thos. Bondy and Norman Wright; thence southeasterly, following the last-mentioned limit one thousand and ninety-six feet (1,096 feet) more or less to a point in the westerly limit of the road between lots 7 and 12 in the Gore, distant one thousand four hundred and thirty-nine feet (1,439 feet) measured southerly in the last-mentioned limit from the southerly limit of the road between the Gore and second concessions; thence easterly at right angles to the said westerly limit of the road

between

between lots 7 and 12 in the Gore, sixty-six feet (66 feet) to the easterly limit of said road; thence southerly, following the last-mentioned limit, six hundred and eight-two feet (682 feet) more or less, to the limit between the north half and south half of lot 12, in the Gore; thence easterly, following the limit between the north half and south half of lots 12 and 13 in the Gore, four thousand one hundred and thirty-nine feet (4,139 feet) more or less to the limit between lots 13 and 14 in the Gore; thence northerly, following the last-mentioned limit, and its northerly production, two thousand three hundred and seventy feet (2,370 feet) more or less, to a point distant two hundred and seventeen feet (217 feet) measured northerly along the northerly production of the line of lots 13 and 14 in the Gore, from the northerly limit of the road between the Gore and second concessions; thence westerly, parallel with the last-mentioned limit, four hundred and twenty-six feet (426 feet) more or less, to the limit between lots 10 and 11 in the second concession; thence northerly, following the last-mentioned limit three thousand six hundred and nineteen feet (3,619 feet) more or less, to the place of beginning. Containing by admeasurement the sum of six hundred and seventy acres (670 acres) be the same more or less.

Composition  
of council.

3.—(1) The council of the town shall consist of a mayor, a reeve and three councillors and an election, under the provisions of *The Municipal Act*, shall be held within one month from the coming into force of this Act, or as soon as may be thereafter, for the purpose of electing persons to fill such offices, and all the provisions of *The Municipal Act* respecting the annual election of members of councils for towns, except as herein provided respecting the number of members of the council shall apply.

(2) The board of trustees of the police village of Harrow and the secretary of such board shall, in such election, respectively perform the duties assigned by *The Municipal Act* to the council and clerk of a town.

Assessment  
for 1931.

4. The council of the said town may pass a by-law for taking the assessment of the said town for the year 1931 between the first day of July and the first day of October, 1930, and if any such by-law shall extend the time for making and completing the assessment rolls beyond the first day of November, 1930, then the time for closing the Court of Revision shall be three weeks from the day to which such time is extended, and the final return by the judge, four weeks from that day.

5. The land comprised in the said town is hereby detached from the township of Colchester South, and the town shall form a separate and independent municipality.

Area of town separated from township

6.—(1) Save as in this Act otherwise expressly provided, all the provisions of *The Municipal Act* and of any other general Act applicable to towns, shall apply to the said town to the same extent as if the said town had been incorporated under the provisions of *The Municipal Act*.

Application of Rev. Stat., c. 233.

(2) The provisions of *The Municipal Act* as to the adjustments of assets and liabilities and as to matters consequent on the formation of new corporations, shall apply as if the said land had been erected into a village under the provisions of that Act instead of a town.

Adjustment of assets and liabilities.

7. The Railway and Municipal Board may divide the town into wards in accordance with *The Municipal Act* after the election of the council for the year 1931 has been held.

Wards.

8. The expenses incurred in obtaining this Act and of furnishing any documents, copies of papers, writings, deeds, plans, and any matters whatsoever required by the clerk or other officer of the said town or otherwise shall be borne by the said town and paid by it to any person who may be entitled thereto.

Expenses of Act.

9. The land comprised in the said town shall be and remain a part of the existing school section for all purposes as though this Act had not been passed, until a by-law approved by the Minister of Education has been passed by the council of the said town for the establishment of an urban school board.

Existing school section not affected.

10. Notwithstanding anything in this Act contained, the township of Colchester South shall continue to have full power and authority to levy, collect and retain and use for its own purposes all taxes properly levied or assessed or in process of being levied or assessed against any of the lands herein described down to and including taxes for the year 1929 as fully and effectually as if this Act had not been passed.

Collection of arrears of taxes.

11. This Act shall come into force on the day upon which it receives the Royal Assent.

Commencement of Act

## CHAPTER 84.

## An Act respecting the City of Kingston.

*Assented to 3rd April, 1930.*

## Preamble.

**W**HEREAS the corporation of the city of Kingston has by petition, represented that By-law No. 45, 1929, was duly submitted to the electors of the corporation qualified to vote thereon for their assent under the provisions of *The Municipal Act*, and that said electors have duly voted in favour thereof and that the said by-law was subsequently passed by the affirmative vote of three-fourths of all the members of the council of the said corporation, and that the agreement hereinafter set out as schedule "A" hereto was duly approved by the council of the corporation and was executed by the mayor and clerk on behalf of said corporation, and by the proper officers of the Kingston Elevator Company on behalf of said company, and has prayed that the said by-law and agreement should be validated and confirmed and that the corporation should be authorized and empowered to use part of the proceeds of said debentures for the purchase of certain lands and water lots situate without the limits of said corporation and within the township of Kingston in the county of Frontenac, for the construction of a railway siding over, along and across the west half of lot 15, in the 2nd concession, and lots 14 and 15 in the 1st concession of said township to the site of the said elevator, and to construct such siding and to annex to the city of Kingston the lands and lands covered by water hereinafter described, and to convey certain parts of the above mentioned lands and lands covered with water, to said Elevator Company as a site for said elevator, and to grant a fixed assessment thereon of \$50,000, exclusive of local improvement and school taxes, for a term of ten years, without the assent of the electors; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—



1. This Act may be cited as *The City of Kingston Act, 1930*. Short title.

2.—(1) Subject to the provisions of subsections 2 and 3, By-law No. 45, 1929, of the corporation of the city of Kingston, to borrow \$80,000 for the purposes therein set out, and the agreement set forth in schedule "A" hereto between the corporation and Kingston Elevator Co., Ltd., are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof and upon Kingston Elevator Co., Ltd., and the said Corporation is hereby authorized and empowered to do all acts and things necessary for the due fulfilment and proper carrying out of the said by-law and the said agreement. By-law 45 of 1929 and agreement confirmed.

(2) Nothing in subsection 1 or in the said agreement shall be construed as affecting the rights of parties in any action or litigation now pending which involves any question as to the title to the lands to be conveyed to the company. Pending litigation not affected.

(3) The conveyance from the city to the company of the lands mentioned in schedule "A" hereto shall make proper provision for the construction and operation upon and over said lands of all railway sidings necessary to serve the property lying to the east of such lands without indemnity to the company. Conveyance to provide for railway sidings.

3. The said corporation may without the assent of the electors pass a by-law fixing the assessment of the elevator and lands, trackage and dockage in connection therewith including business assessment of the said Kingston Elevator Company, Ltd., for the ten years next following the first day of January after the completion of the said elevator at \$50,000 a year for all purposes except for school purposes and local improvements. Power to pass by-law fixing assessment of elevator and lands.

4. The debentures issued or to be issued under the provisions of the said By-law No. 45, 1929, are hereby declared to be legal, valid and binding upon the said corporation and the ratepayers thereof. Debentures issued confirmed.

5.—(1) Part of lots 14 and 15 in the first concession of the township of Kingston and of the water lots in front thereof hereinafter described are hereby detached from the said township and shall be deemed to be annexed for all purposes to the city of Kingston, that is to say, firstly, a strip of land 1,000 feet in width, no more and no less, throughout its length, and being 500 feet on either side of the centre line of the railway siding when constructed to the said elevator and running from the northerly limit of the said lots to the southerly limit of concession 1, and secondly, commencing at a point where the line of the easterly face of the dock of the Kingston Elevator Certain territory annexed to city of Kingston.

Company produced intersects the southerly limit of concession 1, thence southerly south 19' 30 east along the line of the face of the said dock to a point where said line produced southerly would intersect the extension of the westerly production of the harbour line of the city of Kingston, thence westerly at a right angle to said line, 1,000 feet, thence northerly and parallel to said line to a point in the southerly limit of concession 1, thence easterly along the southerly limit of concession 1 to the place of beginning. Together with all the land covered in the grant from the Crown to the city of Kingston, dated the 9th day of November, 1929, and recorded the 18th day of November, 1929, in book L324, folio 135, under the hand of F. Costello, Deputy Provincial Registrar.

Assets and liabilities.

(2) There shall be no adjustment of assets and liabilities between the city and the township on account of the annexation of the said strip, but the township shall be entitled to the taxes thereon for the year 1930.

Commencement of Act.

6. This Act shall come into force on the day upon which it receives the Royal Assent.

## SCHEDULE "A"

MEMORANDUM OF AGREEMENT made at the City of Kingston, this 20th day of February, A.D. 1930.

## BETWEEN:

THE MUNICIPAL CORPORATION OF THE CITY OF KINGSTON,  
hereinafter called the Corporation,

of the First Part,

—AND—

KINGSTON ELEVATOR COMPANY, LIMITED, of the same place,  
hereinafter called the Company,

of the Second Part.

Whereas the parties desire to validate and consummate an Agreement whereby the Company will undertake to erect and operate a grain elevator, and the Corporation will undertake to acquire and convey certain lands, and lands covered by water, to the Company, as a site for the said elevator, to grant or procure fixed assessment thereon, to provide rail connection between the main line of the Canadian National Railway and the said elevator to be used on the terms and conditions hereinafter set out.

And whereas the Company has commenced construction of a grain elevator of a capacity of 2,500,000 bushels, and the Corporation has given notice of intention to apply to the Legislative Assembly of the Province of Ontario for a Special Act to authorize this and other agreements.

Now therefore this indenture witnesseth that in consideration of the premises, and the stipulations and covenants herein on the part of the parties severally contained, the parties hereto covenant, promise and agree each with the other of them as follows:

1. The Company shall construct a transfer and storage elevator of modern design and substantial construction, with a storage of not less than 2,500,000 bushels of grain, together with the necessary wharfage and dock-facilities.

2. The Company shall operate and maintain the said elevator for a period of at least ten years, provided such operation and maintenance is not prevented by the intervention of an Act of God, *vis major*, fire, lightning, flood, tempest, explosion or other cause beyond the reasonable anticipation or control of the Company.

3. The Company shall without any obligation to do any special act, or to incur any expense, allow access to the proposed elevator to all Railways now or hereafter desirous to securing access for the purpose of carrying grain to and from the same.

4. The Corporation shall convey and assure or cause to be conveyed and assured to the Company by a good and sufficient Deed or Transfer in fee simple all those pieces or parcels of lands and premises hereinafter described, together with the appurtenances, save as hereinafter set out, thereto belonging or appertaining, namely:—

Firstly, those parts of the Water Lots in front of lots 14 and 15 in the First Concession of the Township of Kingston, in the County of Frontenac and Province of Ontario, and those parts of the said lots, already conveyed to the Corporation by Grant from the Crown dated 1929, and by conveyance from Henry E. Day, dated July 2nd, 1929.

Secondly, those parts of the said Township Lots consisting of the strip of land on the bank between the travelled road and the parts of water lots above-mentioned, together with a surrender and release of all claims on the part of the owners of the said Township Lots to any right of access to or from the waters of Cataraqui Bay over the land and water lots hereby intended to be conveyed.

5. The Corporation shall provide a railway siding from the main line of the Canadian National Railways to the said elevator, and maintain the same during the currency of this Agreement, or any renewal or renewals thereof, and the Company shall enjoy the use of the said siding at all times free of charge.

6. For the purpose of access to the remainder of the land or land covered by water in Cataraqui Bay the Corporation as owner of the said railway siding, and the owner or owners of the said remainder of said lands shall have the right to use in common with the Company the said siding or any siding connecting with any other railway right-of-way upon entering into a satisfactory Agreement in respect to such joint use.

7. The Corporation shall also make application to the Legislative Assembly of Ontario for provision in the said Special Act fixing the assessment of the said elevator and lands, trackage and dockage in connection therewith, including any business assessment, for the period of ten years next following the first day of January after the completion of the said elevator, at the sum of \$50,000, with the further provision that this shall not apply to or affect taxation for school purposes or local improvements, and also dispensing with the requirement of submission of a By-law to the electors of the said or any other municipality for the purposes of so fixing the assessment; and will endeavour to secure the said provisions for fixed assessment and in the event that the assessment is not so fixed by the said Special Act the Corporation will, through its Council, submit to the electors of the Municipality a proper By-law under the Municipal Act for the purpose of so fixing the said assessment.

8. The Corporation shall also make application to the Legislative Assembly of the Province of Ontario for the enactment of provisions in the said, or in another Special Act which will authorize, validate, and confirm this Agreement and all its terms and provisions as well as all things to be done in pursuance thereof.

9. The Corporation shall also by its Council use every endeavour to give full effect to all the terms of this Agreement and to secure the necessary legislative sanction and approval.

10. This Agreement shall bind and enure to the benefit of the parties and their successors and assigns respectively.

In witness whereof the said Corporation has affixed its Corporate seal, attested by the hands of its Mayor and Clerk, and the Kingston Elevator Company, Limited has affixed its Corporate Seal and signed by its President and Secretary-Treasurer.

SIGNED, SEALED AND DELIVERED  
in the presence of

M. E. BALL  
As to signatures of Mayor and  
City Clerk.

H. A. CRESSWELL.  
As to signatures of Vice-President  
and Secretary.

W. H. CRAIG,  
*Mayor.*

W. W. SANDS,  
*City Clerk.*  
[SEAL]

KINGSTON ELEVATOR COMPANY LTD.  
By T. R. ENDERBY,  
*Vice-President.*  
and R. B. THOMSON,  
*Secretary.*

## CHAPTER 85.

## An Act respecting the Town of Leaside.

*Assented to 3rd April, 1930.*

**W**HEREAS the municipal corporation of the town of Leaside has by its petition represented that by-law number 230 was passed on the 29th day of January, 1930, to authorize the borrowing of two hundred thousand dollars (\$200,000) upon debentures, to pay for the portion of the cost of the East York-Leaside Viaduct payable by the town of Leaside; that certain doubts have arisen as to the validity of said by-law; and that it is desirable that the said by-law and the debentures issued or to be issued thereunder should be validated and confirmed; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Town of Leaside Act, 1930*. Short title.
2. By-law number 230 of the town of Leaside, passed on the 29th day of January, 1930, to authorize the borrowing of two hundred thousand dollars (\$200,000) upon debentures, to pay for the portion of the cost of the East York-Leaside Viaduct payable by the town of Leaside, and all debentures issued or to be issued thereunder are hereby confirmed and declared to be legal, valid and binding upon the said town of Leaside and the ratepayers thereof. By-law No. 230 confirmed.
3. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

## CHAPTER 86.

## An Act respecting the City of London.

*Assented to 3rd April, 1930.*

Preamble.

**W**HEREAS the corporation of the city of London has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of London Act, 1930.*

By-law  
L.S.R.-1-20  
and agree-  
ment with  
London St.  
Railway,  
confirmed.

2.—(1) Subject to the provisions of subsection 2, by-law number L.S.R.-1-20 of the council of the corporation of the city of London, passed on the 6th day of January, 1930, amending by-law number 916 respecting The London Street Railway Company passed on the 21st day of May, 1895, and the agreement between the corporation of the city of London and The London Street Railway Company, bearing date the 1st day of February, 1930, which are set out in schedule "A," hereto annexed, are hereby confirmed and declared to be legal, valid and binding, in the same manner and to the same extent as if set out at length in this Act, and the provisions thereof were enacted in this Act; and the said corporation is hereby authorized and empowered to pass such other by-laws and enter into such other agreements and do all such other acts, matters and things as may be deemed necessary by the said corporation for the full and proper carrying out of the provisions of the said agreement, and where jurisdiction respecting any of the matters mentioned in the said agreement is now or may hereafter be vested in the police commissioners of the said city, or any other authority, such powers as may be necessary to enable the council of the said corporation to carry out the provisions of the said agreement shall be exercised by the council of the said corporation instead of the said commissioners or other authority.

(2) Nothing in the said agreement shall be construed as affecting the powers conferred on the Department of Highways by *The Public Vehicle Act*. Rev. Stat.  
c. 252.

3. If the said The London Street Railway Company shall, in the opinion of the council of the corporation of the city of London, at any time during the period of five years mentioned in said by-law number L.S.R.-1-20, fail or neglect to keep, observe, perform, or comply with any of the provisions of said by-law number 916 as heretofore amended and as amended by said by-law number L.S.R.-1-20, passed on the 6th day of January, 1930, the council of the said corporation may, under the provisions of said by-law number L.S.R.-1-20 repeal said by-law number L.S.R.-1-20 and immediately upon the passing of such repealing by-law, said by-law number 916 as amended before said by-law number L.S.R.-1-20 takes effect, shall be revived and said by-law number 916 as amended before said by-law number L.S.R.-1-20 takes effect shall be in full force and effect in all respects, in the same manner and to the same extent as if said by-law number L.S.R.-1-20 had not been passed, and in the event of the council of the said corporation not repealing said by-law number L.S.R.-1-20 as provided for by the fifteenth paragraph thereof, said by-law number 916 as amended before said by-law number L.S.R.-1-20 takes effect shall at the end of the said period of five years be revived, and said by-law number 916 as amended before said by-law number L.S.R.-1-20 takes effect shall be in full force and effect in all respects, in the same manner and to the same extent as if said by-law number L.S.R.-1-20 had not been passed. Power to  
repeal  
By-law No.  
L.S.R.-1-20.

4. The agreement between the corporation of the city of London and Canadian National Railway Company, bearing date the 6th day of January, 1930, which is set out in schedule "B." hereto annexed, is hereby ratified and confirmed, and the said parties are hereby empowered to carry out their respective obligations and privileges thereunder, and the said corporation is hereby authorized to pass the necessary by-laws for carrying out the terms and conditions of the said agreement. Agreement  
with C.N.R.,  
confirmed.

5. The corporation of the city of London may pass a by-law, or may from time to time pass by-laws, to stop up and close those portions of the streets mentioned in the said agreement set out in schedule "B." hereto annexed, and it shall not be necessary for the said corporation to observe in respect thereof the provisions or formalities prescribed by *The Municipal Act* relating to the stopping up of highways. Power as to  
closing cer-  
tain streets.  
  
Rev. Stat.  
c. 233.

6. The corporation of the city of London may from time to time pass by-laws as the circumstances require to borrow, Power  
to borrow  
\$700,000 for  
construction  
of works  
under agree-  
ment with  
C.N.R.  
and



and may borrow, sums not exceeding in the whole \$700,000, and may issue debentures therefor for any period not exceeding thirty years from the respective times when the debentures are issued, and at such rate of interest not exceeding five per centum per annum as the council of the said corporation may determine, to pay for the cost of the works mentioned in the said agreement set out in schedule "B." hereto annexed which, under the said agreement, shall become payable by the said corporation, without submitting the by-laws to the electors of the said city for their assent.

Power to borrow \$16,000 for police station.

7. The corporation of the city of London may pass a by-law to borrow and may borrow a sum not exceeding \$16,000, and may issue debentures therefor for any period not exceeding twenty years from the date thereof and at such rate of interest not exceeding five per centum per annum as the council of the said corporation may determine to provide moneys to pay for a portion of the cost of the erection of the new police station in the said city of London, without submitting the by-law to the electors of the said city for their assent.

Power to borrow \$70,000 for maintenance of break-water.

8. The corporation of the city of London may pass a by-law to borrow, and may borrow, a sum not exceeding \$70,000 and may issue debentures therefor for any period not exceeding twenty years from the date thereof, and at such rate of interest not exceeding five per centum per annum as the council of the said corporation may determine, to provide moneys to pay for the maintenance or repair of the break-water in London West, without submitting the by-law to the electors of the said city for their assent.

1925, c. 95, s. 3, repealed.

9. Section 3 of *The City of London Act, 1925*, is hereby repealed.

Composition of council.

10. Notwithstanding anything in any special or other Act the council of the city of London shall at the next annual municipal election and thereafter be composed of a mayor and three aldermen for each ward of the said city who shall hold office for one year and until their successors are elected and a new council organized.

Formalities prescribed by Rev. Stat. c. 233, not to apply.

11. It shall not be necessary for the corporation of the city of London to observe, in respect of any of the by-laws mentioned in sections 6, 7 and 8 hereof the formalities prescribed by *The Municipal Act* in relation to the passing of money by-laws.

Irregularity in form not to invalidate.

12. No irregularity in the form of any of the debentures issued under the authority of this Act or in any by-law authorizing the issue thereof shall render the same invalid or



be allowed as a defence to any action brought against the corporation of the city of London for the recovery of the amount thereof or any part thereof or the interest thereon.

**13.** This Act shall come into force on the day upon which it receives the Royal Assent.

Commencement of Act.

## SCHEDULE "A."

## BY-LAW No. L. S. R.-1-20

To amend By-law No. 916 respecting "The London Street Railway Company" passed on the Twenty-first day of May, A.D. 1895.

Be it enacted by the Municipal Council of the Corporation of the City of London, as follows:

1. Section 10 of By-law No. 916, respecting The London Street Railway Company, passed on the Twenty-first day of May, A.D. 1895, is hereby repealed, and the following substituted therefor:

"10 (1) Whenever it shall be deemed expedient by the Corporation, or the Council thereof, under the provisions of *The Local Improvement Act*, or under any other act or authority, to pave or repave, whether with materials different from what are now in use or not, any street or portion of a street upon or along which the railway tracks of the Company, or any of them, are or shall be laid, the track allowance shall, at the same time that the paving or repaving is being done on the adjoining portions of the street, be paved by the Company with the like materials, or such other material as shall be approved of by the Council of the Corporation, and in the same manner as the adjoining portion of the said street is so paved or repaved, and to the satisfaction of the said Engineer, the Company furnishing the materials, and the specifications for all such paving or repaving to be done by the Company, including the foundations therefor, under the provisions of this subsection, shall be submitted to and approved of by the said Engineer before any of the said work is commenced by the Company, and the actual cost of such paving or repaving by the Company (save and except the cost of the necessary excavation and the foundations for the ties and rails of the Company up to the normal line of the paving which shall be done by the Company at their own expense and shall be paid for by the Company) shall be paid by the Corporation to the Company after the completion of the work to the satisfaction of the said Engineer, and within three months after the work had been paid for by the Company, and after the Corporation has received from the Company an itemized statement of the total actual cost, and after such itemized statement has been certified by the said Engineer to be correct and thereafter the track allowances shall be maintained and kept in repair to the satisfaction of the said Engineer by and at the expense of the Company, the Company furnishing the materials, and the Company shall be responsible for and make good to the Corporation all loss, damages, costs, charges and expenses which the Corporation may incur or be put to by reason of any failure of the Company to conform to the provisions of this subsection or any delay on the Company's part in so doing. Nothing in this subsection contained shall prejudice the right of the Corporation to have the track allowances on Richmond Street between Victoria Street and Huron Street and on Adelaide Street between Rattle Street and Oxford Street paved by, and at the expense of, the Company, and to the satisfaction of the said Engineer within nine months after this by-law takes effect, if it should take effect, and the Company shall be bound to pave the track allowances on the said portions of the said streets at their own expense within the said nine months, but, in the event of the pavement on York Street being completed in the year, A.D. 1929, this subsection shall apply to that pavement."

"(2) It shall be the duty of the Company whenever any street or portion of a street is to be so paved or repaved, to take up, and the Company shall take up, their tracks and substructures thereon if and when the said Engineer shall deem it necessary to do so, and relay the same according to the best modern practice and to the satisfaction of the said Engineer and at the expense of the Company."

2. Subsection (d) of Section 25 of the said By-law No. 916 is hereby repealed, and the following substituted therefor:

"(d)

"(d) The Company may, on week days, charge and collect from every person on entering any of their cars and/or buses for a continuous journey of any distance on their railway and/or bus system, from any point thereon to any other point on a main or branch line and/or bus system, within the limits of the City of London as now existing or hereafter extended, a sum not exceeding seven cents, except for children under five years of age accompanied by a parent or other person having them in charge, such children to travel free; and shall sell tickets at the price of fifty cents for nine tickets, each ticket to entitle the holder to one continuous journey on the cars and/or buses as aforesaid, between the hour when the cars and/or buses commence running and 12 o'clock midnight, and shall also sell another class of tickets at the price of twenty-five cents for five tickets, the same to entitle the holder to one continuous journey on the cars and/or buses as aforesaid, between the hours of 6 a.m. and 8.45 a.m. and between the hours of 5 p.m. and 6.30 p.m., and shall also carry children between the ages of five and twelve years, for a cash fare of three cents and shall sell two children's tickets, good for children between the ages of five and twelve years, at the price of five cents, and shall also carry free of charge all police constables in uniform, and all city firemen in uniform or wearing badges when going to or returning from a fire, health and water inspectors, and city detectives wearing badges; and the Company shall grant transfers without any additional charge for both adults and children, from any point on their lines and/or bus system, to any other point on their lines and/or bus system, within the limits of the City of London, as now existing or hereafter extended, for a continuous journey, which is not a return trip, and shall from time to time make proper and sufficient arrangements, to the satisfaction of the said Engineer, for the purpose of such transfers. The fares set out in this section shall not apply to chartered or private cars and/or buses. No person, save as aforesaid, and save also employees in the service of the Company, shall be permitted to travel free upon any of the cars and/or buses of the Company. (The Council of the Corporation may, from time to time, by by-law, change the hours hereinbefore provided for, between which the said class of tickets at the price of twenty-five cents for five tickets may be used as hereinbefore provided, so long as such by-law does not provide for more than two hours and forty-five minutes in the morning and one hour and thirty minutes in the afternoon of each week day during which the said class of tickets at the price of twenty-five cents for five tickets may be used as aforesaid)."

"Provided always that the whole of the increased revenue which may be derived by the Company by reason of the increased fares which will be received in consequence of the enactment of this subsection, if and when this by-law takes effect, shall be expended on improvements to the Street Railway and/or bus system in such manner as may from time to time be directed by the Council of the Corporation of the City of London."

3. Subsection (h) of Section 25 of the said By-law No. 916 is hereby repealed and the following substituted therefor:

"(h) The Company shall not use or operate at any time more than twenty-two motor street cars in charge of one man, without the consent of the Council of the Corporation, and, save as aforesaid, there shall be not less than two men in charge of each motor street car, and not less than one man in charge of each trailer or other car, and not less than two men in charge of each motor street car used or operated within the limits of the City of London as now existing or hereafter extended, in connection with the Springbank line."

4. As the bridge now owned by the Corporation of the City of London (hereinafter called the Corporation) known as the Dundas Street Bridge, requires, in the opinion of the Council of the Corporation to be replaced or renewed, the Corporation may construct a new bridge so as to permit of one track of The London Street Railway Company (hereinafter called the Company) being placed in the centre thereof, or in such other place as the Engineer for the time being of the Corporation (hereinafter called the Engineer) shall deem advisable and, the Company shall when the said bridge is completed and ready for use, and before the same is used by the Company, enter into an agreement with the Corporation to pay to the Corporation a rental for the use of such bridge based on the additional

cost thereof to the Corporation caused by reason of the bridge being constructed so as to permit the Company's track to be laid thereon, and such agreement shall contain all the like terms and conditions as are contained in By-law No. 8371 of the City of London, passed on the twenty-fourth day of January, A.D. 1927, and the agreement respecting the Victoria Bridge, made between the Corporation and the Company, bearing date the Twenty-sixth day of January, A.D. 1927, except that the City shall pay for the paving of that portion of the track allowances which is above the normal line of the paving of the rest of the bridge, and the rental to be paid by the Company to the Corporation for the use of the said bridge shall be calculated and fixed on the same basis as the rental of the Victoria Bridge was calculated when the rental provided for by the said by-law and agreement was determined, and shall be payable in like manner as the payment of the rental for the use of the said Victoria Bridge is payable under the said by-law and agreement, and the Company shall be bound, when the said bridge is being constructed, to place their track upon the said bridge in the centre thereof, or in such place as the Engineer shall deem advisable, and to grant and convey to the Corporation in consideration of the sum of one dollar that part of lot number 25 on the north side of Dundas Street in the said City of London, conveyed to the Company by deed bearing date the first day of December, A.D. 1921, and registered in the Registry Office for the Registry Division of the City of London, as Number 23236, and the rights-of-way granted to the Company by the said deed.

5. When the bridge now owned by the Corporation, known as the York Street bridge, requires, in the opinion of the Council of the Corporation to be replaced or renewed, the Corporation may construct a new bridge so as to permit of one track of the Company being placed in the centre thereof, or in such other place as the Engineer shall deem advisable, and the Company shall, when the said bridge is completed and ready for use, and before the same is used by the Company, enter into an agreement with the Corporation to pay to the Corporation a rental for the use of such bridge based on the additional cost thereof to the Corporation caused by reason of the bridge being constructed so as to permit the Company's track to be laid thereon, and such agreement shall contain all the like terms and conditions as are contained in the said By-law No. 8371 and the said Agreement respecting the Victoria bridge, made between the Corporation and the Company bearing date the twenty-sixth day of January, A.D. 1927, except that the City shall pay for the paving of that portion of the track allowances which is above the normal line of the paving of the rest of the bridge, and the rental to be paid by the Company to the Corporation for the use of the said bridge shall be calculated and fixed on the same basis as the rental of the Victoria Bridge was calculated when the rental provided for by the said by-law and agreement was determined, and shall be payable in like manner as the payment of the rental for the use of the said Victoria bridge is payable under the said by-law and agreement, and the Company shall be bound, when the said bridge is being constructed, to place their track upon the said bridge in the centre thereof or in such place as the Engineer shall deem advisable and to abandon and give up the rights (if any) of the Company to the use of the York Street Bridge now erected.

6. Permission is hereby given to the Company to discontinue the service on the lines known as the Ottawa or South Belt Line, the North Belt Line, and that part of what is known as the Normal Route which lies north of Dundas Street and East of Richmond Street, and also that part of what is known as the Richmond Route which lies south of Dundas Street.

7. The Company shall establish, maintain and operate a bus system, as follows:

A bus system, with not less than a five-minute service during the hours of 6.15 a.m. to 9.20 a.m. 11.30 a.m. to 1.20 p.m. and 4.30 p.m. to 8.20 p.m., and not less than a ten-minute service during the other hours of the day and up to midnight, starting on the Hamilton Road at East Street and running along the Hamilton Road to Rectory Street, then south on Rectory Street to Nelson Street, then west on Nelson Street to Colborne Street, then north on Colborne Street to York Street, then west on York Street to Clarence Street, then north on Clarence Street to Dundas Street, then

turning to the right on Dundas Street and running along Dundas Street to Wellington Street, then turning to the right on Wellington Street and running along Wellington Street to York Street, then east on York Street, and returning to the starting place on the Hamilton Road by the same route.

A bus system, with not less than a six-minute service during the hours of 6.15 a.m. to 9.20 a.m., 11.30 a.m. to 1.20 p.m. and 4.30 p.m. to 8.20 p.m., and not less than ten-minute service during the other hours of the day and up to midnight, starting on Clarence Street at the intersection of the north side of Dundas Street and Clarence Street, then north along Clarence Street to Dufferin Avenue then east on Dufferin Avenue to Colborne Street, then north on Colborne Street to Victoria Street, and returning, then south on Colborne Street to Dufferin Avenue, then west on Dufferin Avenue to Wellington Street, then south on Wellington Street to Dundas Street and then west on Dundas Street to Clarence Street, the place of commencement.

A bus system, with not less than a ten-minute service, starting in Chelsea Green, at the corner of Terrace Street, then north on Adelaide Street to Grosvenor Street, then west on Grosvenor Street to William Street, and then returning by the same route.

A bus system with not less than an eight-minute service, starting on Emery Street at the intersection of Emery Street and the Wharnccliffe Road, then east on Emery Street to Ridout Street, then north on Ridout Street to Dundas Street, then east on Dundas Street to Clarence Street, then south on Clarence Street to York Street, then west on York Street and Stanley Street to the Wharnccliffe Road, and then along the Wharnccliffe Road to Emery Street, the place of commencement.

A bus system, with not less than a ten-minute service, starting on High Street, at Emery Street, then north on High Street and Wellington Street to York Street, then west on York Street to Clarence Street and along Clarence to Dundas Street, then east on Dundas Street to Wellington Street, and then southerly to the place of commencement, and

A bus system with not less than a twelve-minute service, starting on Quebec Street, at the intersection of Dundas Street and Quebec Street, then north on Quebec Street to Oxford Street, and then turning and returning to Dundas Street, by the same route.

8. The Company shall, before operating any buses, under the authority of this by-law, obtain from the Board of Commissioners of Police of the City of London a license for each bus and shall, at all times, comply with all terms and provisions of the By-law, relating to the owners of motor omnibuses for hire within the city and the drivers thereof, passed by the said Board of Commissioners of Police on the twenty-first day of November, A.D. 1922, and any amendments thereto, and/or any other by-law which may from time to time be passed by the said Board of Commissioners of Police, relating to owners of motor omnibuses used for hire within the city, including the taking out of an insurance policy or policies against accidents for liability to the public and passengers, and for property damage, as provided for by such by-law or by-laws and/or any amendments thereto.

9. All buses used or operated under the authority of this by-law, shall at all times, be of the most modern design and of a type and seating capacity satisfactory to the Engineer, and shall be kept at all times in a good state of repair to the satisfaction of the Engineer.

10. The speed and service necessary on each of the said bus lines shall be determined from time to time and may be altered, changed or varied by the order of the Engineer, approved by the Council of the Corporation, and all buses shall be run at such intervals as the Engineer, with the approval of the Council of the Corporation, may from time to time determine, and the Council of the Corporation may from time to time, as they may see fit, by a vote of two-thirds of all the members of the Council of the Corporation, change or vary any of the routes provided for by paragraph seven hereof, and the Company shall thereafter run their buses according

to the route or routes so changed or varied by the Council of the Corporation, and the Company shall not of their own motion make any change in any of the said routes without the consent in writing of the Council of the Corporation.

11. The Company shall have, and may exercise, during the continuance of this by-law, an exclusive franchise to construct, complete, maintain and operate within the limits of the City of London as now existing or hereafter extended, a transportation system on the Company's present lines and any extensions or additions thereto, it being the intention that the Company shall not be subject to competition in their business of transporting passengers between points in the City of London, whether such competition be in the nature of motor buses or otherwise. Provided always that this paragraph shall not apply to the operation of motor buses, or other vehicles, running between any point within the City of London and towns and/or villages, whether incorporated or unincorporated, outside the limits of the City of London, so long as such motor buses or other vehicles do not convey passengers from one point within the limits of the City of London to another point therein. Provided also that this paragraph shall not apply to the operation of motor buses or other vehicles during any and all times that the Company is prevented from regularly operating or neglects or fails to regularly operate in accordance with the provisions of said By-law No. 916 and this by-law all or any of their cars and/or buses on all or any of their lines for more than one day. Provided also that this paragraph shall not apply at any time to cabs or taxi cabs, or to vehicles licensed by the Department of Public Highways or vehicles over which the Council of the Corporation has no control.

12. The Council of the Corporation shall pass such by-laws as the Company may request, and as the Council of the Corporation may lawfully pass, to enable the Company to enforce the provisions of such by-law, but the Council of the Corporation shall not be obliged to enforce any such provisions. Provided also, and notwithstanding anything in this paragraph contained, during any and all times that the Company is prevented from regularly operating, or neglects or fails to regularly operate, in accordance with the provisions of said By-law No. 916 and this by-law, all or any of their cars and/or buses on all or any of their lines, for more than one day, the Council of the Corporation, or the Board of Commissioners of Police of the City of London, may authorize the operation of motor buses or other vehicles as public carriers during such time as the Company does not regularly operate, or neglects or fails to regularly operate in accordance with the provisions of said By-law No. 916, and this by-law, all or any of their cars and/or buses on all or any of their lines for more than one day.

13. The Corporation shall have the right, at any time and from time to time, during the continuance of this by-law, to have some one appointed at any time and from time to time, by the Council of the Corporation to examine at any time and from time to time, the books of accounts, vouchers, records, documents, balance sheets and all other papers or documents relating to the affairs of the Company, and to take extracts therefrom.

14. The provisions of this by-law shall, if and when this By-law takes effect as hereinafter provided for, continue for five years only from the time when the said by-law takes effect, and no longer, but subject to earlier determination as provided for by the next succeeding paragraph hereof.

15. If the Company shall, in the opinion of the Council of the Corporation, at any time during the said period of five years fail or neglect to keep, observe, perform or comply with any of the provisions of the said By-law No. 916 as heretofore amended, and as amended by this by-law, the Council of the Corporation may repeal this by-law, and immediately upon the passing of such repealing by-law, the said By-law No. 916 as amended before this by-law takes effect, if it should take effect, and all the agreements, obligations, terms and conditions of or relating to the said By-law No. 916 as heretofore amended, shall immediately be revived and shall be in full force and effect in all respects in the same manner and to the same extent, as if this by-law had not been passed.



16. In the event of this by-law not being repealed, as provided for by the next preceding paragraph hereof, this by-law and the agreement hereinafter referred to, shall, at the expiration of the said period of five years from the time when this by-law takes effect, if it should take effect, immediately cease and be at an end, and the said By-law No. 916, as amended before this by-law takes effect, if it should take effect, and all the agreements, obligations, terms and conditions of the said By-law No. 916 as heretofore amended, shall immediately be revived and shall be in full force and effect in all respects in the same manner and to the same extent as if this by-law had not been passed.

17. The Corporation will, if this by-law receives the assent of the electors, as hereinafter provided for, join with the Company in applying to the Legislature of the Province of Ontario for legislation confirming and ratifying this by-law and the agreement to be entered into between the Corporation and the Company (referred to in the eighteenth paragraph of this by-law) and declaring the same to be valid and binding on the Company and the Corporation; all expenses in connection with the procuring of such legislation to be paid and borne by the Company. Provided that the Act of the Legislature so confirming and ratifying this by-law and the said agreement shall contain as a section thereof the words following, or to the like effect, that is to say:

"If the said Company shall, in the opinion of the Council of the Corporation, at any time during the said period of five years, fail or neglect to keep, observe, perform or comply with any of the provisions of said By-law Number 916 as heretofore amended and as amended by the said by-law (being By-law Numbered L.S.R.-1-20 passed on the sixth day of January, A.D. 1930) the Council of the Corporation may, under the provisions of said By-law Numbered L.S.R.-1-20 repeal said By-law Numbered L.S.R.-1-20 and immediately upon the passing of such repealing by-law, said By-law Number 916 as amended before said By-law Numbered L.S.R.-1-20 takes effect, shall be revived, and the said By-law Number 916, as amended, before said By-law Numbered L.S.R.-1-20 takes effect, shall be in full force and effect in all respects, in the same manner, and to the same extent as if said By-law Numbered L.S.R.-1-20 had not been passed. In the event of the Council of the Corporation not repealing said By-law Numbered L.S.R.-1-20 as provided for by the fifteenth paragraph thereof, said By-law Number 916 as amended before said By-law Numbered L.S.R.-1-20 takes effect shall, at the end of the said period of five years, be revived and said By-law Number 916 as amended before said By-law Numbered L.S.R.-1-20 takes effect, shall be in full force and effect in all respects, in the same manner, and to the same extent as if said By-law Numbered L.S.R.-1-20 had not been passed."

18. This by-law and the powers and privileges hereby granted shall not take effect or be binding on the Corporation unless or until formally assented to by the Municipal electors of the said City of London and confirmed and validated by an Act of the Legislature of the Province of Ontario as hereinbefore provided, which Act will contain the section mentioned in paragraph seventeen hereof, nor unless or until accepted by the Company within thirty days after this by-law takes effect, by an Agreement which shall legally bind the Company to perform, observe and comply with all the agreements, obligations, terms and conditions herein contained and shall be approved by the City Solicitor, and such Agreement, when so approved, shall be executed under the seal of the Corporation by the Mayor or Chairman of Number One Committee and the City Clerk.

Passed in open Council this sixth day of January, A.D. 1930.

W. J. KILPATRICK, *Mayor*.

S. BAKER, *Clerk*.

*Schedule "A."*

Articles of Agreement made this first day of February, A.D. 1930.

BETWEEN:

THE CORPORATION OF THE CITY OF LONDON (hereinafter  
called the Corporation),

of the first part;

—AND—

THE LONDON STREET RAILWAY COMPANY (hereinafter  
called the Company),

of the second part.

Whereas by By-law No. 916 respecting The London Street Railway Company, passed on the Twenty-first day of May, A.D. 1895, the consent, permission and authority of the Corporation was given and granted to the Company to construct, complete, maintain and operate during the remainder of the term of fifty years from the Eighth day of March, A.D. 1875, a surface electric street railway on the trolley system upon and along certain streets in the said City of London, particularly mentioned in the said by-law, upon and subject to the terms, conditions, agreements, stipulations, regulations, obligations, provisions and things therein contained;

And whereas By-law No. L.S.R.-1-20 to amend said By-law No. 916 was passed on the Sixth day of January, A.D. 1930, a true copy whereof is hereto annexed;

And whereas these Presents are intended to give effect to said By-law No. L.S.R.-1-20, and to bind the Company to conform to, obey, perform, observe, fulfil and keep all the terms, conditions, agreements, stipulations, regulations, obligations, provisions and things contained in the said by-law, and also to bind the Company as hereinafter provided;

Now these Presents witness that in consideration of the granting of the powers and privileges which are by said By-law No. L.S.R.-1-20 granted by the Corporation to the Company, the Company doth, for itself, its successors and assigns, covenant, promise and agree to and with the Corporation, and its successors, in manner following, that is to say:

That the Company doth hereby accept said By-law No. L.S.R.-1-20, and that the Company, its successors and assigns will, in all things, conform to, obey, perform, observe, fulfil and keep all and every the terms, conditions, agreements, stipulations, regulations, obligations, provisions, and things in the said by-law contained, upon, under and subject to which the said powers and privileges are by the said by-law granted to the Company, and will do and perform all acts, matters and things which the said by-law provides are to be done by or on behalf of the Company, and will not do anything which the said by-law provides is not to be done by the Company;

And the Company also covenants and agrees with the Corporation that nothing in the said By-law No. L.S.R.-1-20 contained shall prejudice, alter or affect any of the rights or powers of the Corporation or of the Council of the Corporation under said By-law No. 916, and the agreement between the Company and the Corporation bearing date the Sixth day of June, A.D. 1895, or the said by-law and agreement, save as amended by said By-law No. L.S.R.-1-20, and that the said By-law No. 916 and the said agreement bearing date the Sixth day of June, A.D. 1895, as amended by said By-law No. L.S.R.-1-20, and as amended, varied or altered by by-laws of the Council of the Corporation heretofore passed, and agreements in writing between the Company and the Corporation entered into in pursuance of such by-laws, shall remain in full force and effect and be valid and binding upon the Company, its successors and assigns.

This



This Agreement shall not come into force or take effect or be binding upon the parties hereto unless and until the said By-law No. L.S.R.-1-20 and this Agreement are confirmed and validated by an Act of the Legislative Assembly of the Province of Ontario at its next Session.

In witness whereof the parties hereto have hereunto caused to be affixed their Corporate Seals, and the Mayor and Clerk of the Corporation and the President and Secretary of the Company have set their hands the day and year first above written.

Signed, Sealed and Delivered

In the presence of

## SCHEDULE "B."

This Agreement made this sixth day of January, One Thousand Nine Hundred and Thirty.

BETWEEN:

CANADIAN NATIONAL RAILWAY COMPANY. (hereinafter  
called the Railway),

of the first part;

—AND—

THE CORPORATION OF THE CITY OF LONDON (hereinafter  
called the City),

of the second part.

Whereas the Railway heretofore constructed its main line tracks through the said City of London and built a railway station in the said City for the accommodation of passengers and established railway yards, team tracks and other railway facilities for the handling of business in the said City of London;

And whereas the City has requested the Railway to build a new station;

And whereas the building of the said new station necessitates the consideration and settlement of grade separation problems in the said City;

And whereas the other works hereinafter set forth and connected with the said grade separation problems are of mutual benefit to the City and the Railway in the general scheme of grade separation;

Now therefore it is agreed by and between the parties hereto as follows:

#### 1. PLANS.

The plan lettered "A" dated the second day of January, one thousand nine hundred and thirty, which shows the Railway's tracks and the proposed subways, bridge, closed streets, reconstruction of street railway tracks, rearrangement of yards and facilities, proposed new level of tracks, together with other details of the proposed construction work; and the plan lettered "B," dated November fifteenth, one thousand nine hundred and twenty-eight, which shows cross section and profile of a typical subway, both of which plans have been identified by the signatures of the parties hereto, shall be considered forming part of this agreement.

#### 2. SUBWAYS.

The Railway shall construct subways so as to permit pedestrian and vehicular traffic to pass under the Railway's tracks in accordance with the details shown on the said plans "A" and "B," upon the following streets in the said City of London, namely: Ridout, Richmond, Wellington, Maitland, Adelaide and Rectory Streets. The subways on Richmond and Wellington Streets shall be completed and ready for use on or before December thirty-first, one thousand nine hundred and thirty-two. The construction of the subways on Ridout, Maitland, Adelaide and Rectory Streets shall not be commenced until requested by the Council of the City and shall not in any event be commenced before the thirty-first day of December, one thousand nine hundred and thirty-two.

The Council of the City shall send each such request to the Railway at least eighteen months before the date fixed for the completion of the subway in respect of which such request is made, but, if any such request should be sent to the Railway less than eighteen months before the date fixed for the

completion

completion of the subway in respect of which such request is made, the Railway shall have such additional time for completion of such subway as will give the Railway eighteen months from the time of the receipt of such request.

The subway on Ridout Street aforesaid, if so requested by the Council of the City, shall be completed and open for traffic on or before the thirty-first day of December, one thousand nine hundred and thirty-seven, and either the subway on Adelaide Street or the subway on Rectory Street, as hereafter determined by the City, shall, if so requested by the Council of the City, be completed and open for traffic on or before the thirty-first day of December, one thousand nine hundred and thirty-nine, and the said subways at Adelaide and Rectory Streets shall be completed and open for traffic on or before the thirty-first day of December, one thousand nine hundred and forty-two.

All subways shall be sixty-six (66) feet in width between abutments, with supporting columns placed in the centre of the said subways so as to leave a roadway twenty-one (21) feet in width, and a sidewalk eight and one-half ( $8\frac{1}{2}$ ) feet wide on each side of the said columns, with clear headroom from the roadway pavement level of the said subway of fourteen (14) feet and a clear headroom over the said sidewalks of not less than eight and one-half ( $8\frac{1}{2}$ ) feet.

*Ridout Street Subway.*

The grade on the roadway approaches to the Ridout Street Subway shall not exceed five per cent. (5%).

*Richmond Street Subway.*

The grade on the roadway approaches to the Richmond Street Subway shall not exceed six per cent. (6%).

This subway shall be constructed to the existing southerly curb line of Bathurst Street and the pavement on Bathurst Street shall be raised to the new grade of the Railway's tracks at this point so that the roadway shall be constructed over the said subway. The sidewalks on each side of Richmond Street northerly of the Railway's tracks shall be retained on their existing levels to the southerly limit of the London Shoe Building on the easterly side of Richmond Street and to the southerly limit of the easterly entrance of the Tecumseh Hotel on the westerly side of Richmond Street, the sidewalks shall then be graded from the aforesaid points to the standard grade level of the sidewalks in the subway.

On the southerly side of Bathurst Street a covered stairway shall be constructed to give access to the westerly subway sidewalk from the Bathurst Street level.

The sidewalks of the southerly approach to the subway shall be retained at their existing level as far northerly as possible and then graded to the standard grade level of the sidewalks in the subway in order to reduce to a minimum the length of retaining walls along buildings.

*Wellington Street Subway.*

As Wellington Street is one hundred and thirty-two (132) feet in width roadways shall also be constructed on both sides of the subway at the northerly end thereof to provide entrances into adjoining properties at existing grades and at the southerly end of the said subway these roadways shall be so constructed as to provide access to and from Bathurst Street to Wellington Street.

The grade on the roadway approaches to the Wellington Street Subway shall not exceed six per cent. (6%).

*Maitland Street Subway.*

The grade on the roadway approaches to the Maitland Street Subway shall not exceed six per cent. (6%).

The construction of the subway on Maitland Street shall not in any event be commenced before the thirty-first day of December, one thousand nine hundred and forty-five, and shall, if so requested by the Council of the City, be completed and open for traffic within two years thereafter.

*Adelaide Street Subway.*

The grade on the roadway approaches to the Adelaide Street Subway shall not exceed six per cent. (6%).

*Rectory Street Subway.*

The grade on the roadway approaches to the Rectory Street Subway shall not exceed five per cent. (5%).

In order to construct the Ridout, Richmond and Wellington Street Subways, it is necessary for the Railway to raise the level of its tracks from a point near the Railway's bridge over the Thames River to a point at or near Waterloo Street. The maximum elevation of the said tracks shall be four (4) feet more or less, the detail of the proposed new level being shown on said Plan "A."

### 3. EGERTON STREET BRIDGE.

The Railway shall construct an overhead bridge for vehicular and pedestrian traffic over the Railway's tracks on Egerton Street with a roadway of at least thirty-two feet in width and a sidewalk at least six feet (6) wide on both sides of the said bridge. A roadway with necessary pavement and sidewalks shall be constructed by the City from the intersection of Mabel Street and Egerton Street to Bridges Street and a roadway with the necessary pavement and sidewalks shall also be constructed by the City from the southerly end of the southerly approaches of the said bridge to the southerly limit of Pine Street as shown on the said Plan "A," and the cost of such pavements and sidewalks shall be deemed part of the cost of construction provided for by paragraph twelve of this Agreement to be assumed, borne and paid for, by the parties hereto and any other parties mentioned in paragraph twelve hereof, in accordance with the order or orders of The Board of Railway Commissioners for Canada (hereinafter called the Board), as provided for by paragraph twelve hereof.

The construction of the said bridge on Egerton Street will necessitate the relocation of the main line of the Thorndale Subdivision of the Railway, and it is agreed that the relocated main line will cross Gore, Brydges and Swinyard Streets at the grade level. The construction of the bridge on Egerton Street shall not be commenced before the thirty-first day of December, nineteen hundred and thirty-two, but shall be completed and open for traffic on or before the thirty-first day of December, nineteen hundred and thirty-seven.

### 4. STREETS TO BE CLOSED.

The City agrees to close those portions of Talbot, Clarence, Waterloo Colborne, Burwell, and William Streets, lying between the productions of the northerly and southerly limits of the Railway's lands across the said streets as shown on the said Plan "A." The said portion of Clarence Street shall be closed forthwith; the said portion of Waterloo Street shall be closed upon the completion of the Wellington Street Subway and the opening of the same for traffic and the said portions of Colborne, Burwell and William Streets shall be so closed when the Adelaide Street Subway has been completed, and opened for traffic. Ridout Street and Talbot Street shall not be unnecessarily obstructed until the subways at Wellington Street and Richmond Street have been completed and opened for traffic, at which time the said portion of Talbot Street shall be closed.

### 5. CONSTRUCTION OF NEW STATION.

The Railway, at its own risk and expense, shall remove the existing station of the Railway and shall construct a new modern station in lieu thereof at or near the site of the existing station, at its own risk and expense; such new station to be reasonably fit for the needs of the inhabitants of the

said City of London and the travelling public. The work of constructing such new station shall be completed and the said new station shall be ready for use on or before the thirty-first day of December, one thousand nine hundred and thirty-two.

#### 6. PEDESTRIAN SUBWAY TO LONDON AND PORT STANLEY PLATFORM.

The Railway shall construct a pedestrian subway as shown on the said plan "A" and provide adequate facilities for the expeditious handling of baggage from the southerly side of the proposed new station to the northerly side of The London and Port Stanley Railway Company's platform near or on Bathurst Street, together with the necessary covered stairways at both ends thereof and stairway approaches therefrom to passenger tracks southerly of the new station, and a covered stairway from The London and Port Stanley Railway Company's said platform to the easterly sidewalk of the Richmond Street Subway.

#### 7. DRAINAGE OF SUBWAYS.

(a) The Railway shall construct the necessary pump houses and install therein the necessary drainage pumps in connection with the subways on Maitland, Adelaide and Rectory Streets, and the City shall at its own expense maintain, repair and operate the said pump-houses and drainage pumps.

(b) The City shall construct a sewer on Bathurst Street to drain the subways on Richmond, Wellington and Ridout Streets, and the cost of constructing the said sewer shall be deemed part of the cost of construction provided for by paragraph twelve of this Agreement and shall be assumed, borne and paid for in accordance with the order or orders of the Board, as provided for by paragraph twelve hereof. Should the said sewer be constructed as an intercepting sewer, taking the drainage from points other than the said subways, the increased cost by reason thereof shall be borne by the City.

#### 8. CONSTRUCTION WORK.

The Railway shall perform in a workmanlike manner, and in accordance with plans approved by the Board, the work of constructing the said subways, bridge, pedestrian subway, raising of railway grades, relocation of railway tracks, station and all works incidental thereto, including bridges for support of railway tracks over subways, abutments, retaining walls, including the retaining wall on the south side of The London and Port Stanley Railway Company's tracks between Wellington and Richmond Streets, grading of approaches, and the City shall perform the work of laying of sidewalks and pavements in the subways and approaches thereto and on the overhead highway bridge, and shall also perform the work of constructing sewers, water mains and other facilities of the City affected by the said works. The work of rearranging and/or reconstructing sewers, drains, watermains, and water pipes, electric light and power wires, shall be performed by the City and/or The Public Utilities Commission of the City of London, and the work of rearranging and/or reconstructing gas mains may be performed by the City Gas Company of London, and the work of rearranging and/or reconstructing telephone and telegraph wires may be performed by the Companies owning or operating such telephone or telegraph wires, and the cost of all such rearranging and reconstructing shall be deemed part of the cost of construction provided for by paragraph twelve of this agreement and shall be assumed, borne and paid for in accordance with the order or orders of the Board, as provided for by paragraph twelve hereof.

#### 9. RELOCATION OF TRACKS OF OTHER RAILWAYS.

The City is the lessee of The London and Port Stanley Railway Company and The London and Port Stanley Railway is practically owned by the City, and the City agrees that the tracks of The London and Port Stanley Railway Company shall be diverted from Bathurst Street and reconstructed over the new subway on Wellington Street, as shown on the said Plan "A". The construction of the said subway on Wellington Street

shall

shall be carried out in such a manner as to cause as little inconvenience as possible to the business of The London and Port Stanley Railway Company, and one through track of the said The London and Port Stanley Railway company shall, during such construction, be available for The London and Port Stanley Railway Company at all times, and the tracks of The London and Port Stanley Railway Company between Richmond and Waterloo Streets, when elevated, shall conform to the grade of the Railways tracks when elevated, and the tracks of The London and Port Stanley Railway Company, west of Richmond Street shall be provided with suitable and convenient approaches to the terminal facilities of The London and Port Stanley Railway Company.

As shown on the said plan "A" it is necessary to relocate the tracks of the Michigan Central Railroad Company in the vicinity of Wellington Street and should the said Michigan Central Railroad Company not approve of the proposed re-location of their tracks the matter in dispute shall be referred to the Board for settlement.

#### 10. FREIGHT SHED AND ENGINE HOUSE PROPERTY OF THE LONDON AND PORT STANLEY RAILWAY COMPANY.

If the Railway decides to use the land upon which the freight sheds and freight yards and/or the engine house property of The London and Port Stanley Railway Company are situated, the Railway shall, before taking possession of the same, provide for The London and Port Stanley Railway Company another site suitable and convenient for The London and Port Stanley Railway Company for their freight shed and freight tracks and will erect thereon a suitable freight shed, and the cost of the said site, and freight shed, and also the cost of the driveways, and the cost of laying the necessary freight tracks on the said site for The London and Port Stanley Railway Company shall be assumed, borne and paid for by the Railway. The City shall ensure that the lands of The London and Port Stanley Railway Company required by the Railway hereunder as shown colored in yellow on the said plan "A" shall be transferred to the Railway free from encumbrances of every nature forthwith upon the transfer of the new site to The London and Port Stanley Railway Company by the Railway. If the Railway decides to use the said land shown colored in yellow on the said plan "A", The London and Port Stanley Railway Company, may at its option, elect to be paid in cash by the Railway for the said land so taken by the Railway instead of the Railway providing another site suitable and convenient for The London and Port Stanley Railway Company for their freight shed and freight tracks and erecting thereon a suitable freight shed and paying for the cost of the said site and freight shed, and also the cost of the driveways and the cost of laying the necessary freight tracks on the said site for The London and Port Stanley Railway Company, the price to be so paid in cash to be agreed upon between the Railway and The London and Port Stanley Railway Company, and if they fail to agree to be fixed and determined in accordance with the provisions of paragraph twenty-two hereof.

#### 11. LABOUR.

The workmen and labourers employed in or about the construction work, provided for herein, by Contractors carrying out the work on behalf of the Railway shall be paid such rates of wages as may be currently payable to workmen and labourers engaged in similar occupations in the immediate vicinity of the said City of London, but this clause shall not apply to employees of the Railway.

#### 12. DIVISION OF COST.

Except as otherwise provided in this Agreement, the cost of all the works of construction herein provided for such as raising of grade and relocation of the Railway tracks, including the main line of the Thorndale subdivision of the Railway, and including The London and Port Stanley Railway Company's tracks, overhead system and terminal facilities,

construction

construction of subways, pedestrian subway, facilities for handling baggage between the new station and The London and Port Stanley Railway Company's platform, bridges, roadways and the re-location of Street Railway tracks, construction of pump houses and drainage pumps, re-location of other public facilities such as telephone pole lines and conduits, sewers, water mains, pavements and sidewalks, gas mains and all other works of whatsoever nature affected by the proposed work herein provided for, together with the cost of all lands purchased for such works and all compensation, awards, damages, costs and expenses awarded to owners of such lands and/or adjoining properties by reason of the construction of the works herein provided for, shall be assumed, borne and paid for in accordance with the order or orders of the Board, and both parties hereto shall endeavour to have the cost properly divided between the Railway, the City, The London Street Railway Company, The London and Port Stanley Railway Company, the Michigan Central Railroad Company and all public utility companies whose works are affected or disturbed by the work herein provided for.

### 13. MAINTENANCE AND REPAIR.

The Railway shall at its own risk and expense maintain and repair the main structures of the bridges supporting the Railway tracks over the subways, the retaining walls on Railway property, that part of the westerly retaining wall of the Wellington Street Subway which will lie north of a straight line drawn easterly across Wellington Street in continuation of the southerly limit of the Railway's property which adjoins Wellington Street on the west and south of a straight line drawn easterly across Wellington Street in continuation of the northerly limit of the Railway's property which adjoins Wellington Street on the west, and all that part of the easterly retaining wall of the said Wellington Street Subway which will lie north of a straight line drawn westerly across Wellington Street in continuation of the southerly limit of the Railway's property which adjoins Wellington Street on the East, and the bridge on Egerton Street (exclusive of the approaches thereto).

Save and except as hereinbefore provided, the City shall, at its own risk and expense, maintain and repair the retaining walls outside of the limits of the Railway's right of way, the roadways, sidewalks, sewers, including the sewer to be constructed on Bathurst Street as aforesaid, water mains and other municipal works in the said subways and on the said highway bridge.

### 14. PROTECTION OF PUBLIC DURING CONSTRUCTION.

The Railway shall, while any work to be done hereunder by the Railway is in progress in any of the streets of the City of London, or any portion thereof, keep and maintain such barriers, watchmen and lights, and take such other care and protection as may be necessary, or which the Engineer for the time being of the City may require for the protection and safety of the public and of property and the cost thereof shall be considered part of the cost of such work.

### 15. MAINTENANCE AND REPAIR OF PUBLIC FACILITIES.

The City and The Public Utilities Commission of the City of London and their respective officers, servants and contractors, shall have the right without expense to the Railway, from time to time, and at all times hereafter, to take up the streets, or such of them, or such part or parts thereof, as they may from time to time see fit, not only under the subways to be constructed as aforesaid, but also in the parts of the streets which, by the terms of this agreement, are to be closed, both before and after the closing of the same, for the purpose of constructing, and/or repairing drains, sewers and/or culverts, and for laying down and/or repairing water pipes and/or for placing, repairing, renewing and/or replacing electric light and/or other wires, and/or for any other purpose for the time being within the powers, privileges, duties or obligations of the City and/or The Public Utilities Commission of the City of London.



Provided that all such works shall be performed in accordance with the orders and regulations of the Board applicable thereto, and if the Railway deems it necessary or desirable, under the supervision and to the satisfaction of an engineer designated by the Railway.

#### 16. LIGHTING OF SUBWAYS.

The City shall at its own expense properly light the said subways whenever necessary.

#### 17. INDEMNITY.

The Railway shall indemnify and save harmless the City from and against all claims and demands, loss, costs, damages, actions, suits or other proceedings by whomsoever made, brought or prosecuted, arising by reason of loss, damage or injury to person or property caused by or resulting from the work performed by the Railway hereunder and the City shall indemnify and save harmless the Railway from and against all claims and demands, loss, costs, damages, actions, suits or other proceedings arising by reason of loss, damage or injury to person or property arising out of the works to be performed by the City hereunder, or arising in any manner out of the use of the said subways, bridge and approaches thereto at any time after same have been completed and are in operation (except when such loss, damage or injury shall have been due to the negligence of the Railway or its employees,) it being the intention of this Agreement that the Railway shall not be liable for any loss, damage or injury occurring in the said subways or on the said bridge or approaches thereto by reason of grades, columns or stairways of such subways, bridge or approaches thereto or any other special feature of construction. Liability for all claims and demands, loss, costs, damages, actions, suits or other proceedings arising by reason of loss, damage or injury to person or property caused by or resulting from work performed jointly by the Railway and the City hereunder shall be divided between the parties hereto in the proportion fixed by the Board in dividing the original cost of the works herein provided for between the parties.

Liability for other loss, damage or injury arising hereunder for which the parties hereto are jointly liable shall be divided between the parties in accordance with the responsibility of each party. Should proceedings be commenced against one party hereto for loss, damage or injury for which the other party hereto is liable such other party shall at once assume the defence of such proceedings and save the other party hereto harmless from all loss, costs and expenses in connection therewith. Should proceedings be commenced against one party hereto for loss, damage or injury for which both parties hereto are jointly liable the other party shall assist in defending and shall assume its proper proportion of all costs, damages and awards resulting therefrom. Should proceedings be commenced against both parties hereto for loss, damage or injury for which one party hereto is solely responsible such party shall at once assume the defence of such proceedings and save the other party hereto harmless from all loss, costs, expenses and awards resulting therefrom.

#### 18. EMPLOYEES OF THE CITY ON RAILWAY PREMISES AT THEIR OWN RISK.

All compensation awards or payments made to the employees of the City engaged in constructing or installing any of the works hereunder which are to be constructed or installed by the City shall be added to the cost of the general work and shall be assumed, borne and paid for in accordance with the order or orders of the Board as provided by paragraph twelve hereof. Provided that all employees of the City entering upon the premises of the Railway for the purpose of maintaining, repairing or using any of the works herein provided for shall do so at the risk of the City and the Railway shall not be liable for any loss, damage or injury in any manner sustained by such employees while on the Railway's premises and the City shall indemnify and save harmless the Railway from and against all claims and demands arising by reason of such loss, damage or injury.



## 19. TAXES.

As provided in paragraph twelve hereof, the entire cost of reconstruction of sidewalks, pavements, water mains, sewers and other municipal works shall be considered as part of the total cost of constructing the works herein provided for and shall be assumed, borne and paid for in accordance with the order or orders of the Board. No local improvement or special tax (exclusive of general rates) shall be levied or assessed against the Railway for the cost of the works herein provided for, and except as aforesaid, nothing herein contained shall relieve the Railway from assessment for or payment of any general, local improvement or special tax.

## 20. TEAMWAY ON YORK STREET.

The Railway intends constructing at its own expense freight sheds on the Railway's lands fronting on York Street, as shown on the said Plan "A", and the City agrees that a portion of York Street twenty-five feet in width, lying along the southerly side of York Street, between Wellington and Waterloo Streets, may be used by the Railway for teamway purposes, and the Railway shall construct and at all times keep in repair, at its own expense, the pavement on the said portion of York Street.

If the City deems it necessary, on account of the use of the said portion of York Street for teamway purposes, the City may widen the pavement on the north side of York Street between Wellington and Waterloo Streets opposite such portion of the street and in the event of the City's so doing the cost of such widening shall be assumed by the Railway and shall not be included in the general cost of the other works herein provided for.

## 21. TRACKS AT GRADE LEVEL

As shown on said Plan "A", there are at present five railway tracks constructed across Adelaide Street at the grade level of the said street between Simcoe and Bathurst Streets and also a railway track at grade level across the intersection of Bathurst and William Streets. After completion of the said subway on Adelaide Street, the aforesaid tracks may remain in their present position until the parties agree that the traffic requirements on Adelaide Street necessitate the removal of the tracks leading to the engine terminal therefrom and their reconstruction in the position indicated by the dotted lines on the said Plan "A", easterly of Adelaide Street and crossing Bathurst Street at grade level of the said streets. The cost of re-locating said tracks leading to the Roundhouse as well as re-locating the Coal Chute, Cinder Pits, Stand Pipes and other facilities, including the purchase of necessary real estate and land damages, if any, shall be divided between the Railway and the City, in accordance with the order or orders of the Board relative thereto.

## 22. DISPUTES.

All disputes arising between the parties hereto with respect to the works herein provided for and which cannot be amicably adjusted by the parties hereto shall be referred to the Board for settlement. Should the Board decline to act such dispute or disputes shall be submitted to arbitration in the following manner:

The party desiring such reference shall appoint an arbitrator who shall be a disinterested person and give notice thereof and of intention to refer to the other party, who shall within thirty days after receipt of such notice appoint on its behalf an arbitrator who shall be a disinterested person, in default of which such an arbitrator on behalf of such other party may be appointed by one of the Judges of the Supreme Court of Ontario on the application of the party desiring such reference after ten days' notice to the other party. The two arbitrators so appointed or selected shall select a third and the award of the said three arbitrators or a majority of them made after due notice to both parties of the time and place of hearing the matter referred and hearing the party or parties who may attend shall be final and binding on both parties hereto and they expressly agree to abide thereby. In case the two arbitrators first appointed fail to appoint a third within ten days after they have both been appointed then the third arbi-

trator

trator may be appointed by one of the Judges of the Supreme Court of Ontario on the application of either party after ten days' notice to the other. In case of death or the refusal or inability to act of any arbitrator or if for any cause the office of any arbitrator becomes vacant his successor shall be appointed in the same manner as is provided for his first appointment in the first instance unless the parties otherwise agree. The arbitrators appointed shall have all the powers given by The Arbitration Act (Revised Statutes of Ontario, 1927, Chapter 97) to arbitrators.

### 23. CANCELLATION.

This agreement cancels and supersedes all agreements heretofore made between the City and The Grand Trunk Railway Company of Canada and/or the Railway respecting the construction of a new station, protection at Highway crossings herein referred to and all municipal facilities constructed under the Railway's tracks which are to be removed under the provisions hereof, but shall not prejudice any existing rights of the Railway or of The London and Port Stanley Railway Company under the provisions of an Indenture dated the twenty-fifth day of April, one thousand eight hundred and seventy and made between The Great Western Railway Company of Canada and The London and Port Stanley Railway Company.

### 24. APPROVAL OF AGREEMENT.

This agreement shall not come into force or take effect unless and until it has been approved of by the Board, assented to by the Municipal electors of the City of London and validated by an Act of the Legislature of the Province of Ontario.

In witness whereof the Railway has hereunto caused to be affixed its Corporate Seal, and the Vice-President and Secretary have set their hands, and the City has hereunto caused to be affixed its Corporate Seal, and the Mayor and Clerk have set their hands, the day and year first above written.

SIGNED, SEALED AND DELIVERED  
In the Presence of

CANADIAN NATIONAL RAILWAY COMPANY

*Vice-President*

*Secretary*

THE CORPORATION OF THE CITY OF LONDON

*Mayor*

*Clerk*

## CHAPTER 87.

## An Act respecting the Town of New Liskeard.

*Assented to 3rd April, 1930.*

**W**HEREAS the corporation of the town of New Liskeard <sup>Preamble.</sup> has by petition represented that certain expenditures were necessarily incurred by the said corporation for the construction of that certain bridge now erected over the Wabi River on Armstrong Street, in the said town of New Liskeard over and above the estimates for the construction of the said bridge and in excess of the amount raised by the said corporation by debentures for the purpose of the said construction and that the said corporation is indebted to its bank for the sum of \$11,451.25 for the said excess; that the said council on the 22nd day of January, 1930, passed by-law No. 621 to provide for the issue of \$11,451.25 for debentures for the purpose of paying the said debt; and whereas the said corporation has by petition prayed that the said by-law be validated and confirmed; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Town of New Liskeard Act*, Short title. 1930.

2. By-law No. 621 of the corporation of the town of New Liskeard, set out as Schedule "1" to this Act, is confirmed and declared legal, valid and binding upon the said municipal corporation and the ratepayers thereof, and the debentures to be issued thereunder when so issued shall be legal, valid and binding upon the said corporation and the ratepayers thereof. <sup>By-law No. 621 confirmed.</sup>

3. This Act shall come into force on the day upon which it receives the Royal Assent. <sup>Commencement of Act.</sup>

## SCHEDULE "1"

BY-LAW NUMBER 621 OF THE TOWN OF NEW LISKEARD, being a By-law to provide for the issue of debentures of the Town of New Liskeard, for the sum of Eleven thousand, four hundred and fifty-one dollars and twenty-five cents (\$11,451.25) required by the said Town of New Liskeard.

WHEREAS the Council of the Town of New Liskeard with the assent of the Electors passed By-law Number 586 for the purpose of raising by debentures the sum of Twenty-five thousand (25,000) dollars to meet the proportion of expense to be borne by the Town of New Liskeard, to construct a bridge across the Wabi River on Armstrong Street in the said Town of New Liskeard.

AND WHEREAS the said proportion of the said expense to be borne by the said Town of New Liskeard exceeded the amount of the original estimate thereof and exceeded the amount realized on the sale of the said debentures.

AND WHEREAS the Council of the Town of New Liskeard incurred liability for said excess amounting to the sum of Eleven thousand, four hundred and fifty-one dollars and twenty-five cents (\$11,451.25).

AND WHEREAS the Town of New Liskeard is desirous of raising debentures for the sum of Eleven thousand, four hundred and fifty-one dollars and twenty-five cents (\$11,451.25) for paying off the said liability.

AND WHEREAS it is desirable to issue the said debentures at one time and to make the principal of each repayable by yearly sums during a period of twenty years, being the currency of the said debentures, said yearly sums being of such respective amounts that the aggregate amount payable in each year for principal and interest in respect of the said debt, shall be as nearly as possible equal to the amount so payable in each of the other nineteen years of the said period as shown on Schedule "A" hereto annexed.

AND WHEREAS the total amount required by the said municipality to be raised annually by special rate for paying the said debt and interest as hereinafter provided, is Nine hundred and ninety-eight dollars and thirty-seven cents (\$998.37).

AND WHEREAS the amount of the whole rateable property of the Town of New Liskeard, according to the last revised assessment roll thereof is One million, seven hundred and thirty-three thousand, three hundred and eighty-one (1,733,381) dollars.

AND WHEREAS the amount of the said existing debenture debt of the said Municipality is Two hundred and twenty-one thousand nine hundred and fifty-five dollars and thirty-seven cents (\$221,955.37) of which no part, either for principal or interest, is in arrear.

NOW, THEREFORE, the Municipal Corporation of the Town of New Liskeard enacts as follows:—

1. The Municipal Corporation of the Town of New Liskeard shall issue debentures of the said Town to the amount of Eleven thousand, four hundred and fifty-one dollars and twenty-five cents (\$11,451.25) as aforesaid, in sums of not less than One hundred dollars (\$100.00) each within two years from the date hereof and each of such debentures shall be dated on the day of the issue thereof and shall be payable within twenty years thereafter in the amount shown in the said Schedule "A" hereto at the Imperial Bank of Canada in the said Town of New Liskeard.

2. Each of the said debentures shall be signed by the Mayor of the said Town of New Liskeard or by some other person authorized by By-law to sign the same and by the Treasurer thereof and the Clerk shall attach thereto the Corporate Seal of the said Municipality.

3. The said debentures shall bear interest at the rate of Six (6%) per centum per annum payable yearly at the said Imperial Bank of Canada in each and every year during the currency thereof and shall have attached to them coupons for payment of the said interest which coupons shall be signed by the Treasurer of the said Corporation.

4. During the currency of the said debentures, there shall be raised annually by special rate on all rateable property in the said Town of New Liskeard, the sum of Nine hundred and ninety-eight dollars and thirty-seven cents (\$998.37) for the purpose of paying the amount due in each year of the said twenty (20) years for principal and interest in respect of the said debt as shewn in Schedule "A" hereto annexed.

DATED at the Town of New Liskeard, on the 22nd day of January, A.D. 1930.

(Sgd.) "P. ACKROYD,"  
Clerk.

(Sgd.) "H. W. SUTCLIFFE"  
Mayor.

*Schedule "A"*

BY-LAW NUMBER 621

Debentures for 20 years:

Amount \$11,451.25.

Rate 6%, coupons attached.

Equal annual payment, \$998.37.

No.	Principal	Interest	Total
1.....	311 30	687 07	998 37
2.....	329 98	668 39	998 37
3.....	349 77	648 60	998 37
4.....	370 76	627 61	998 37
5.....	393 02	605 35	998 37
6.....	416 60	581 77	998 37
7.....	441 60	556 77	998 37
8.....	468 09	530 28	998 37
9.....	496 17	502 20	998 37
10.....	525 94	472 43	998 37
11.....	557 49	440 88	998 37
12.....	590 94	407 43	998 37
13.....	626 39	371 98	998 37
14.....	663 97	334 40	998 37
15.....	703 80	294 57	998 37
16.....	746 03	252 34	998 37
17.....	790 79	207 58	998 37
18.....	838 24	160 13	998 37
19.....	888 53	109 84	998 37
20.....	941 84	56 53	998 37
	<hr/> \$11,451 25	<hr/> \$8,516 15	<hr/> \$19,967 40

## CHAPTER 88.

## An Act respecting the Town of New Toronto.

*Assented to 3rd April, 1930.*

Preamble.

**W**HEREAS the corporation of the town of New Toronto has by its petition prayed for special legislation in regard to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

**1.** This Act may be cited as *The Town of New Toronto Act, 1930.*

Council.—  
how com-  
posed.

**2.** The council of New Toronto shall on and after the 1st day of January, 1931, consist of a mayor, a reeve, as many deputy reeves as the town is entitled to under the provisions of *The Municipal Act* and a sufficient number of councillors to make the total membership in the said council, seven. All of the said members of council shall be elected by a general vote.

Rev. Stat.  
c. 233.

Tax sales  
and deeds,  
confirmed.

**3.**—(1) All sales of land within the town of New Toronto made prior to the 31st day of December, 1928, which purport to have been made by the corporation of the said town or by its treasurer for arrears of taxes in respect to the lands so sold are hereby validated and confirmed and all conveyances of land so sold executed by the mayor and treasurer of the said town of New Toronto purporting to convey the said lands so sold to the purchaser thereof or his assigns or to the said corporation shall have the effect of vesting the lands so sold or conveyed or purporting to be sold or conveyed to the purchaser thereof or his assigns or to the said corporation and its successors and assigns as the case may be in fee simple and clear of and free from all right, title and interest whatsoever of the owner or owners thereof at the time of such sale or his, her or their assigns and all charges and encumbrances thereon and dower therein except taxes accrued or accruing after those for non-payment of which the said lands were sold.

(2) Nothing in this section contained shall affect or <sup>Pending</sup> litigation not <sup>affected.</sup> prejudice the rights of any person under pending litigation.

4. The provisions of this Act other than section 3 shall <sup>Commence-</sup> come into force on the day upon which it receives the Royal <sup>ment of</sup> Assent. Section 3 shall come into force on July 1st, 1930.

## CHAPTER 89.

## An Act respecting the City of Niagara Falls.

*Assented to 3rd April, 1930.*

Preamble.

**W**HEREAS the corporation of the city of Niagara Falls has by petition represented that under and pursuant to By-law No. 585 passed on the 3rd day of September, 1902, the corporation of the town of Niagara Falls conveyed the soil and freehold of those portions of Fletcher Avenue and Ryerson Avenue closed by such by-law to the adjoining lot owners, and such deeds contained a covenant that no building should be erected on the lands conveyed; and whereas deeds made by F. N. G. Starr in the year 1897 to the adjoining lot owners of portions of First Avenue closed by order of the county judge and shown upon Plan No. 34 registered for the town of Niagara Falls contained a covenant that no building should be erected on the lands conveyed; and whereas in both cases the lands conveyed abut upon Victoria Avenue, which at the time of such conveyances was of a residential character but has since become a business street and it is desirable and in the public interest that such building restrictions should be removed and discharged from the said lands; and whereas the said corporation has by its petition prayed for special legislation in respect to the foregoing and other matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The City of Niagara Falls Act, 1930.*

By-law  
No. 1799,  
confirmed.

**2.—(1)** By-law No. 1799 of the corporation of the city of Niagara Falls, passed on the 6th day of January, 1930, to authorize the purchase and improvement of lands for park and athletic purposes for the city of Niagara Falls, and to provide for the issue of debentures of the said city to the amount of \$20,000, and to raise the sum required therefor, is hereby ratified and confirmed and declared to be legal, valid

and



and binding upon the said corporation and the ratepayers thereof.

(2) The debentures to be issued for such sum of \$20,000 shall be legal, valid and binding upon the said corporation and the ratepayers thereof. Debentures confirmed.

3. The building restrictions contained in covenants in all deeds of the soil and freehold of those portions of Fletcher Avenue and Ryerson Avenue closed by By-law No. 585 of the town of Niagara Falls, passed on the 3rd day of September, 1902, made by the corporation of the town of Niagara Falls to the respective lot owners immediately adjoining such closed portions of streets, are hereby removed and discharged from the lands in said deeds described. Removal of building restrictions on certain lands.

4. The building restrictions contained in covenants in all deeds of those portions of First Avenue closed and shown on plan No. 34 registered for the town of Niagara Falls, made by F. N. G. Starr to the lot owners fronting or abutting on said closed street, are hereby removed and discharged from the lands in said deeds described. Removal of building restrictions on certain lands.

5.—(1) The council of the corporation of the city of Niagara Falls may, without submitting the same to the electors qualified to vote on money by-laws, pass by-laws for borrowing the sum of \$30,000 by the issue and sale of debentures payable at any time within fifteen years and bearing interest at the rate of five per centum per annum, payable half-yearly, for the following purposes, viz,— Power to borrow \$30,000 without assent of electors for certain purposes.

(a) \$25,000 of said sum to be granted as aid to the Niagara Falls General Hospital, and

(b) \$5,000 of said sum to be granted as aid to the Niagara Peninsula Sanatorium.

(2) The debentures to be issued for such sum of \$30,000 shall be legal, valid and binding upon the said corporation and the ratepayers thereof. Debentures confirmed.

6. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

## CHAPTER 90.

## An Act respecting the Township of North York.

*Assented to 3rd April, 1930.*

Preamble.

**W**HEREAS the corporation of the township of North York has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The Township of North York Act, 1930.*

1929, c. 110,  
s. 2, subs. 2  
repealed.

**2.** Subsection 2 of section 2 of *An Act respecting the Township of North York* passed in the year 1929 is repealed and the following subsections substituted therefor,—

Duration of  
restriction  
on annexa-  
tion of part  
of township.

(2) This section shall remain in force for six years only after the 28th day of March, 1929.

(3) Nothing in this section shall be construed so as to affect any such consent given by the council of the said township before the passing of this subsection, and all such consents shall be binding upon the corporation of the township of North York during the whole of the said period.

Application  
of surplus  
on sale of  
debentures  
at premium.

**3.** The council of the township of North York may by by-law provide that any or all of the moneys now in the hands of the treasurer of the township of North York arising from the sale at a premium of debentures issued to pay for the cost of constructing watermains in Water Area Number 1 of the said township, be used for the purpose of paying part of the capital cost of the existing waterworks plant in said Water Area Number 1 of the said township, or the whole or part of the cost of any extension, alteration or enlargement of the said plant, and such moneys shall be used in the manner so provided.

4. The corporation of the township of North York may, subject to the provisions of section 7 purchase or lease and the corporation of the city of Toronto may without the assent of the electors sell or lease to the corporation of the township of North York that portion of the Metropolitan Division of the Toronto and York Radial Railway lying on Yonge Street within the said township of North York and may reconstruct the same and purchase or rent all necessary rolling stock and equipment therefor.

Power to purchase part of radial railway.

5. The corporations of the townships of North York, Markham and Vaughan and the village of Richmond Hill may subject to the provisions of section 7 jointly purchase or lease and the corporation of the city of Toronto may, without the assent of the electors, sell or lease to the said corporations of the townships of North York, Markham and Vaughan and the village of Richmond Hill that portion of the said Metropolitan Division of the Toronto and York Radial Railways lying south of the north limit of the village of Richmond Hill, and may reconstruct the same and may purchase or rent all necessary rolling stock and equipment therefor, but before acquiring such railway the said corporations shall enter into an agreement with each other prescribing the proportions in which such corporations shall bear all capital expenditures and all operating and other deficits which may arise from the operation of such railway and containing such other provisions as the councils of the said corporations may deem necessary or expedient and as may be approved by the Railway and Municipal Board.

Provision for joint purchase.

6.—(1) Before entering into any agreement to acquire the said railway the corporations of the townships of North York, Markham and Vaughan may by by-law define one or more areas in such township and may provide that such area or areas shall bear the whole of such townships' portion of all capital expenditures and operating or other deficits in connection with such railway.

Assessment of special areas.

(2) The councils of the said townships may in any such by-law determine the proportions in which such areas shall bear such townships' portion of such capital expenditure and deficits.

7.—(1) No agreement for the acquisition of the said railway shall be entered into by the corporation of the village of Richmond Hill unless the same is authorized by by-law passed with the assent of the electors of such village.

Assent of electors required.

(2) No agreement for the acquisition of the said railway shall be entered into by the corporations of the townships of

North York, Markham or Vaughan unless the same is authorized by by-law passed with the assent of the electors of such township or of any area or areas in such township defined pursuant to subsection 1 of section 6.

Management by  
T.T.C.

**8.** Agreements may be made with the Toronto Transportation Commission entrusting to it the management and operation of such railway, including the fixing of tolls and fares.

By-law  
authorizing

**9.** The councils of the corporations of the townships of North York, Markham and Vaughan and the village of Richmond Hill may without the assent of the electors pass by-laws authorizing the borrowing of all moneys required for the purposes mentioned in sections 4 and 5 and may issue debentures therefor payable within a period not exceeding fifteen years.

Special rate  
in defined  
areas.

**10.** In the event of the councils of the townships of North York, Markham and Vaughan defining areas in such townships pursuant to subsection 1 of section 6, any by-law of such township authorizing the issue of debentures for the purposes mentioned in sections 4 and 5 shall provide that the special rate imposed to pay such debentures and the interest thereon shall be levied only on the rateable property in the area or areas so defined and such special rate shall be apportioned amongst such areas in the proportion set out in the by-law defining same.

Provision for  
purchase by  
municipal-  
ities north of  
Richmond  
Hill.

**11.** The local municipalities in the county of York lying along the said Metropolitan Railway north of the village of Richmond Hill may jointly purchase or lease and reconstruct that portion of the said Metropolitan Division of the Toronto and York Radial Railways lying north of the village of Richmond Hill and the corporation of the city of Toronto may, without the assent of the electors, sell to the said municipalities the said portion of the said railway, and for the purpose of acquiring and reconstructing the said railway the councils of the townships in the said county of York lying north of the village of Richmond Hill shall have all the powers conferred by this Act upon the councils of the townships of North York, Markham and Vaughan with respect to that portion of the said railway lying south of the north limit of the village of Richmond Hill and the councils of the villages and towns in the said county lying along the said railway north of the village of Richmond Hill shall have all the powers conferred by this Act upon the council of the village of Richmond Hill with respect to the said portion of the said railway lying south of the north limit of the village of Richmond Hill.

Commence-  
ment of  
Act

**12.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 91.

## An Act respecting the City of Oshawa.

*Assented to 3rd April, 1930.*

**W**HEREAS the municipal corporation of the city of <sup>Preamble.</sup> Oshawa has by its petition represented that the Oshawa Suburban Area Commission requested the municipal council of the county of Ontario to provide the sum of \$20,000 for paving a certain road in the said area in the year 1928, and through an oversight the city of Oshawa was not notified in accordance with the provisions of *The Highway Improvement Act*, and no money was raised by the city for the purpose; and whereas the corporation of the said city has passed a by-law to borrow on the debentures of the city the sum of \$10,000 in order to pay the county the city's share of the amount expended, and it is desirable that the said by-law should be confirmed; and whereas the treasurer of the corporation of the city of Oshawa retains in his hands to the credit of the corporation the sum of \$11,301.38 being the surplus moneys arising from the sale of debentures issued to pay for the cost of works undertaken under the provisions of *The Local Improvement Act* in the years 1922 and 1924, and the said corporation desires to apply the said surplus, firstly towards the costs of the necessary improvements to the city fire hall, secondly towards the construction of a bridge in the suburban area of the said city, and the balance, if any, towards making up the deficit on the sale of debentures in the year 1929 over and above the amount provided for in the same, and whereas the said corporation has by its petition prayed that an Act may be passed for such purposes; and whereas it is expedient to grant the prayer of the said petition: <sup>Rev. Stat., c. 54.</sup> <sup>Rev. Stat., c. 235.</sup>

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The City of Oshawa Act, 1930.* <sup>Short title.</sup>

2. By-law number 1994 of the corporation of the city of <sup>By-law 1994 confirmed.</sup> Oshawa passed on the 13th day of January, A.D. 1930, to provide for the borrowing of \$10,000 by the issue of debentures

to

to pay for the city's share of the cost of paving of a portion of a certain road in the Oshawa suburban area and the debentures to be issued thereunder are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof

Application  
of surplus  
moneys from  
sale of  
debentures.

Rev. Stat.,  
c. 235.

3. The treasurer of the corporation of the city of Oshawa is hereby authorized and empowered to use all surplus moneys now held by him arising by reason of the sale of debentures issued to pay for the cost of works undertaken under the provisions of *The Local Improvement Act* in the said city, firstly for the payment of the cost of the city fire hall improvements, secondly for the payment of the construction of what is known as the Conlin Bridge in the suburban area of the said city, and the balance, if any, to make up the deficiency on the sale of debentures of the city of Oshawa in the year 1929.

Commence-  
ment of  
Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 92.

## An Act respecting the City of Ottawa.

*Assented to 3rd April, 1930.*

**W**HEREAS, the corporation of the city of Ottawa has by Preamble.  
its petition prayed that it should be enacted as herein-  
after set forth; and whereas it is expedient to grant the prayer  
of the said petition;

Therefore, His Majesty, by and with the advice and  
consent of the Legislative Assembly of the Province of  
Ontario, enacts, as follows:—

1. This Act may be cited as *The City of Ottawa Act, 1930.* Short title.

2. The council of the corporation of the city of Ottawa Issue of 30  
may provide by by-law for an issue of debentures not exceed- year deben-  
ing \$50,000 payable within thirty years from their date, for tures for  
the purpose of defraying the cost of constructing and extend- construction,  
etc., of  
watermains,  
etc.

3. For the payment of the debt and interest represented Debt to be  
by the debentures to be issued under the authority of section discharged  
2 of this Act, there shall be raised annually by the corporation out of water  
during their currency, with the authority conferred in, and by, rates.  
an Act passed in the thirty-fifth year of the reign of Her late  
Majesty Queen Victoria, chaptered 80, and intituled *An Act*  
*for the Construction of Waterworks for the City of Ottawa*, from  
the water rates, a sum sufficient to discharge the said debt  
and interest, when and as the same shall respectively become  
due, such sum to be in addition to the money required to be  
raised to meet the charges of maintenance and cost of renewals  
in connection with the said waterworks, and for the payment  
of the principal and interest of all debts heretofore contracted  
for the purposes of the said waterworks, but if at any time,  
the moneys accruing from the said water rates shall prove  
insufficient for the purposes aforesaid, then, when and so  
often as the said deficiency shall occur, there shall be raised,  
levied and collected, by the said corporation, by a special rate  
upon the assessable property of the said corporation, according  
to the then last revised assessment roll thereof, a sum sufficient  
to make good such deficiency.



Issue of 20  
year debentures  
for  
certain pur-  
poses.

4. The council of the said corporation may provide by by-law for an issue or issues of debentures payable within twenty years from their date and not exceeding the following amounts for the purposes specified,—

- (a) \$400,000 to provide for the construction of certain storm sewers and for the drainage of Lansdowne Park.
- (b) \$33,000 for the purchase of land in St. George's Ward for use as a city playground.
- (c) \$51,000 to provide for the discount on the sale of debentures issued under the authority of by-laws numbers 6383, 6444, 6445, 6446, 6447, 6448, 6450, 6561, 6630, 6631, 6633, 6634, 6635 and 6639.
- (d) \$175,000 to provide for the purchase of real property for housing and storing the plant, equipment, horses, wagons and other property of the corporation and for constructing, extending, altering and repairing buildings for such purposes.

Issue of 10  
year debentures  
for  
certain pur-  
poses.

5. The council of the said corporation may provide by by-law for an issue or issues of debentures payable within ten years from their date and not exceeding \$15,000 to provide for the purchase and installation of traffic control signals and equipment.

Assent of  
electors not  
required.

6.—(1) It shall not be necessary for the said corporation to obtain the assent of the electors of the said city qualified to vote on money by-laws, to the passing of any of the money by-laws authorized by sections 2, 4 and 5 of this Act, or to observe in respect thereto the formalities prescribed by *The Municipal Act* in relation to the passing of money by-laws.

Rev. stat.  
c. 233.

Rate of  
interest

(2) Debentures issued under the provisions of any of the said by-laws shall bear interest at such rate as the council of the said corporation shall, in such by-law, determine and the principal and interest thereof may be made payable in any manner authorized by *The Municipal Act*.

Irregularity  
in form not  
to invali-  
date.

(3) No irregularity in the form of any of the debentures issued under the authority of this Act, or in any by-law authorizing the issue thereof, shall render the same invalid, or be allowed as a defence to any action brought against the corporation of the city of Ottawa for the recovery of the amount thereof, or any part thereof, or the interest thereon.

Consolida-  
tion of debenture  
issues.

7. The council of the said corporation instead of borrowing, by separate money by-laws, the sums authorized by sections



4 and 5 of this Act, may consolidate any two or more of such borrowings of like maturity and issue one series of debentures therefor; provided that each such consolidating by-law shall show by recitals or otherwise, the separate sums which make up the total borrowing, and the purposes for which such sums are to be expended.

8.—(1) All sales of land within the municipality of the city of Ottawa made by the treasurer thereof in the year 1928, <sup>Tax sales and deeds confirmed.</sup> purporting to be made for arrears of taxes due in respect of the lands so sold are validated and confirmed and all conveyances of such lands so sold heretofore or hereafter executed by the mayor, treasurer and clerk of the said city, purporting to convey the said lands to the purchaser thereof, or to his assigns, or to the corporation of the said city, as the case may be, shall have the effect of vesting the lands so sold in the purchaser thereof, his heirs, and assigns, or in the corporation of the said city, its successors and assigns, as the case may be, in fee simple, and clear of, and free from, all right, title, interest and claim whatsoever of the former owners thereof and their assigns, and of and from all mortgages, charges, liens and encumbrances thereon except taxes accruing after those for the non-payment of which the said lands were sold.

(2) Nothing in this section contained shall affect any <sup>Pending litigation not affected.</sup> action, litigation or other proceeding now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and to the same extent as if this Act had not been passed.

9.—(1) By-law number 6637 of the said corporation, a true <sup>By-law No. 6637 confirmed.</sup> copy whereof is set out in Schedule "A" to this Act, and all debentures issued or to be issued under the provisions thereof, are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation.

10.—(1) The council of the said corporation may provide <sup>Construction of pavement on Bank Street Rev. Stat. c. 235.</sup> by by-law to be passed under the provisions of *The Local Improvement Act*, and with the like authority as if such work had been undertaken under such Act, for undertaking and completing and for assessing and levying the cost of a local improvement asphalt and stone block pavement on Bank Street between Arlington and Gladstone Avenues, notwithstanding that the debentures heretofore issued to provide for the cost of the existing local improvement pavement upon the said part of the said street have not been wholly redeemed.

(2) Should the council construct the pavement authorized by subsection 1, it shall raise and pay annually, out of its <sup>Payment of special rates out of general funds.</sup> general funds, all such sums as shall remain to be raised, and

levied upon lands assessed for the cost of existing pavement as are also assessed for the cost of the pavement authorized by this section in and after the year in which the first assessment shall be made for the owners' share of the cost of constructing such new pavement.

Power to charge fees for storage of goods in buildings at Lansdowne Park.

Rev. Stat. c. 169.

**11.** The corporation is authorized to carry on the business of a warehouseman and of storing goods, wares and chattels in the buildings of the corporation at Lansdowne Park and to charge such fees therefor as may be established by by-law of the corporation, and the provisions of *The Warehousemen's Lien Act*, and of all Acts now or hereafter amending the same, or which may be substituted in whole or in part therefor, shall apply to, and may be availed of by the corporation in connection therewith.

Assumption by corporation of cost of removing snow and ice.

**12.** Notwithstanding anything contained in section 55 of *The Local Improvement Act*, the council of the said corporation may provide by by-law passed by a vote of three-fourths of all the members, that the corporation shall thereafter assume and pay any part or proportion of the annual cost of removing snow and ice from all streets and parts thereof from which it is proposed to remove the same, not in excess of one-half of the total cost thereof, and that the remainder of the cost thereof shall be specially assessed as provided in the said section.

Widening etc., of Beechwood Ave.

**13.—**(1) Subject to the provisions of this section the council of the said corporation may undertake as a local improvement under the provisions of *The Local Improvement Act* the widening, paving or improving of that part of Beechwood Avenue forming the boundary line between the city of Ottawa and the town of Eastview.

Approval of Railway & Municipal Board.

(2) The work shall not be undertaken until the Railway and Municipal Board has approved of it and if such approval is given the Board shall determine what proportions of the whole cost of the work shall be borne and paid by the corporations of the city of Ottawa and the town of Eastview respectively and what part or proportion, if any, of the whole cost shall be specially assessed against the lands abutting on the said work as the owners' portion, and the provisions of subsections 2 to 9 of section 56 of *The Local Improvement Act* shall apply to the work, substituting the words "order of the Railway and Municipal Board" for the word "agreement" wherever it occurs in the said subsections.

Commencement of Act.

**14.** This Act except section 8 shall come into force on the day upon which it receives the Royal Assent, and section 8 shall come into force on the 1st day of July, 1930.

## SCHEDULE "A"

## BY-LAW NUMBER 6637

A by-law of the Corporation of the City of Ottawa to provide for borrowing \$30,265.96 upon debentures to pay for the construction of certain local improvement works.

Whereas pursuant to construction by-law number 6473, passed on the 16th July, 1928, the resurfacing of certain asphalt pavements on the streets and between the points as shewn in columns numbered 4, 5 and 6, respectively, of schedule "A" hereto, as local improvement, under the provisions of "The Local Improvement Act," has been undertaken;

And whereas the total cost of each of such works, the property-owners' portion thereof and the Corporation's portion thereof, are shewn in columns numbered 7, 8 and 9, respectively, of the said schedule;

And whereas the estimated lifetime of the said works is over 15 years, as shewn in column numbered 10 of the said schedule;

And whereas it is necessary to borrow on the credit of the Corporation \$30,265.96, which is the total cost of all the said works, as shewn in column numbered 7 of the said schedule, and to issue debentures therefor, payable within 15 years from the issue thereof, as shewn in column numbered 11 of the said schedule, and bearing interest at the rate of four and one-half ( $4\frac{1}{2}$ ) per centum per annum, which is the amount of the debt intended to be created by this by-law;

And whereas it is expedient to make the principal of the said debt repayable in yearly sums during the period of 15 years from the date of the issue of the said debentures of such amounts, respectively that the aggregate amount payable for principal and interest in any year shall be equal, as nearly as may be, to the amount payable for the principal and interest in each of the other years;

And whereas it will be necessary to raise annually the sum of \$2,818.18, as shewn in column numbered 14 of the said schedule, during the said period of 15 years for the payment of the said yearly sums of principal and interest as they shall become due, of which amount the sum of \$1,484.78, shall be raised annually for the payment of the property-owners' portion of the said debt and interest thereon, as shewn in column numbered 12 of the said schedule, and the sum of \$1,333.40 shall be raised annually for the payment of the Corporation's portion of the said debt and interest thereon, as shewn in column numbered 13 of the said schedule;

And whereas the amount of the whole rateable property of the Municipality, according to the last revised assessment roll, is \$149,323,059.00.

And whereas the amount of the existing debenture debt of the Corporation, exclusive of local improvement debts, secured by special rates or assessments, is \$17,372,951.77, and no part of the principal or interest thereof is in arrear;

Therefore, the Municipal Council of the Corporation of the City of Ottawa, enacts as follows:—

1. For the purposes aforesaid there shall be borrowed on the credit of the Corporation at large, the sum of \$30,265.96, and debentures shall be issued therefor in sums of not less than \$50.00 Canadian Currency each, and all such debentures may be made payable, both as to principal and interest, at such chartered banks or banking houses in Canada or in the United States of America, as may be designated on the said debentures, in gold coin of, or equivalent to, the standard of weight and fineness fixed for gold coin at this date by the laws of the United States of America.

2. The said debentures shall all bear interest at the rate of four and one-half ( $4\frac{1}{2}$ ) per centum per annum and have coupons attached thereto

for the payment of the interest semi-annually, upon the First day of the months of January and July in each year, which coupons shall be signed by the Treasurer of the Corporation, whose signature may be written, stamped, lithographed or engraved thereon.

3. The debentures shall bear the same date and shall be issued within two years after the date upon which this by-law is passed, and may bear any date within such two years, and shall be payable within 15 years from the date of the said debentures with interest at the rate of four and one-half ( $4\frac{1}{2}$ ) per centum per annum, as shewn by the following schedule, and the respective amounts of principal and interest payable in each year of such years shall be as follows:—

#### SCHEDULE

Years	Amount of Interest Payable	Amount of Principal Payable	Annual Payment
1.....	\$1,361.97	\$1,456.21	\$2,818.18
2.....	1,296.44	1,521.74	2,818.18
3.....	1,227.96	1,590.22	2,818.18
4.....	1,156.40	1,661.78	2,818.18
5.....	1,081.62	1,736.56	2,818.18
6.....	1,003.48	1,814.70	2,818.18
7.....	921.82	1,896.36	2,818.18
8.....	836.48	1,981.70	2,818.18
9.....	747.30	2,070.88	2,818.18
10.....	654.11	2,164.07	2,818.18
11.....	556.73	2,261.45	2,818.18
12.....	454.96	2,363.22	2,818.18
13.....	348.62	2,469.56	2,818.18
14.....	237.49	2,580.69	2,818.18
15.....	121.36	2,696.82	2,818.18
	<hr/>	<hr/>	<hr/>
	\$12,006.74	\$30,265.96	\$42,272.70

4. Each of the said debentures shall be signed by the Mayor of the Corporation or by some other person authorized by By-law to sign the same, and also by the Treasurer thereof, and shall be sealed with the Seal of the Corporation.

5. During 15 years, the currency of the debentures, there shall be raised annually for the payment of the property-owners' portion of the said debt and interest thereon, the sum of \$1,484.78, as shewn in column numbered 12 of the said Schedule, and for the payment of the Corporation's portion of the cost and the interest thereon there shall be raised annually the sum of \$1,333.40, as shewn in column numbered 13 of the said Schedule, making in all \$2,818.18, as shown in column numbered 14 of the said Schedule, to be raised annually for the payment of the said debt and interest.

6. For the payment of the property-owners' portion of the cost of the works and the interest thereon, the special assessment set forth in the assessment rolls prepared for the said works, is hereby imposed upon the lands liable therefor, as therein set forth, which said special assessment, with a sum sufficient to cover interest thereon at the rate aforesaid, shall be payable in equal annual instalments during the currency of the debentures, and for that purpose the respective special annual rates per foot frontage, as shewn in column numbered 16 of the said schedule, are hereby imposed upon each lot entered in the said special assessment roll for the said works, according to the assessed frontage thereof, over and above all other rates and taxes, which special rate shall be collected annually by the Collector of Taxes for the Corporation at the same time and in the same manner as other rates during the currency of the said debentures.

7. For the payment of the Corporation's portion of the cost of each of the said works and the interest thereon, there shall be levied and raised annually a special rate sufficient therefor, over and above all other rates, on all the rateable property in the Municipality, at the same time and in the same manner as other rates.

8. The debentures may contain any clause providing for the registration thereof, authorized by any statute relating to municipal debentures in force at the time of the issue thereof.

9. The amount of the loan authorized by this by-law may be consolidated with the amounts of any loans authorized by other Local Improvement By-laws, by including the same with such other loans in a consolidating By-law authorizing the borrowing of the aggregate thereof as one loan, and the issue of debentures for such loan in one consecutive issue pursuant to the provisions of the statute in that behalf.

10. Pending the sale of the debentures, or in lieu of selling the same, the Council may by resolution authorize the Mayor of the said Corporation and the Treasurer thereof, to raise money by way of loan on the security of such debentures or upon security of some part of them, and to hypothecate any or all of the said debentures as security for the repayment of the said loan.

11. This By-law shall take effect on the day of the final passing thereof.

Given under the Corporate Seal of the City of Ottawa, this 6th day of May, A.D. 1929.

(Sgd.) NORMAN H. H. LETT,  
*City Clerk.*

(Sgd.) ARTHUR ELLIS,  
*Mayor.*

SCHEDULE "A" TO BY-LAW No. 6637

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
No. of Report	How work undertaken	No. of construction By-law	STREET	FROM	TO	Total Cost	Property Owners' portion of total cost	Corporation's portion of total cost	Estimated lifetime of work in years	Currency of debentures in years	Total amount to be raised annually for payment of owners' portion	Total amount to be raised annually for payment of Corporation's portion	Total amount to be raised annually for payment of debt	Frontage of assessed properties Ft. In.	Annual rate per foot frontage
340-C 341-C	Petition Petition	6473 6473	O'Connor St. O'Connor St.	Pretoria Ave., Strathcona Ave.	Strathcona Ave., Fifth Ave., . . . .	\$ 2,522.15 27,743.81 30,265.96	\$ 1,694.97 14,250.89 15,945.86	\$ 827.18 13,492.92 14,320.10	Over 15 Over 15	15 15	\$ 157.83 1,326.95 1,484.78	\$ 77.02 1,256.38 1,333.40	\$ 234.85 2,583.33 2,818.18	298-05 2248-03½	52.89 50.02½

## CHAPTER 93.

## An Act respecting the Town of Perth.

*Assented to 3rd April, 1930.*

**W**HEREAS the corporation of the town of Perth has Preamble.  
 by its petition represented that it has incurred a floating debt of \$29,763 which has arisen by reason of insufficient levies for a number of years past to pay for permanent improvements, such as the construction of permanent pavements, a swimming pool and a bridge and other unforeseen expenditures; and whereas the said corporation has represented that to liquidate the said floating indebtedness forthwith in addition to meeting the ordinary annual expenditures would be unduly oppressive to the ratepayers, and has prayed that power should be granted to consolidate the said debt and to issue debentures therefor in an amount not exceeding \$31,000 payable within fifteen years after the issue thereof; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Town of Perth Act, 1930*. Short title.
2. The floating debt of the corporation of the town of Perth Floating debt consolidated.  
 is consolidated at the sum of \$29,763 and the said corporation may borrow by a special issue of debentures a sum not exceeding \$31,000 for the purpose of paying the said floating debt.
3. The said debentures shall be made payable in not more than fifteen years from the date of the issue thereof and shall bear interest at a rate not exceeding 5 per centum per annum and may be issued either with or without coupons attached thereto for interest and shall be payable at such place or places as the corporation may deem expedient.
4. The said debentures shall be payable in equal annual Payment on instalment plan.  
 instalments of principal and interest, in such manner and of such amounts that the amount payable for principal and  
 interest



interest in any year shall be equal as nearly as may be to what is payable for principal and interest during each of the other years of the period within which the said debt is to be discharged.

Special rate.

5. The said corporation shall levy and collect in each year during the period within which the said debt is payable, in addition to all other rates, a special rate sufficient to produce and pay the annual instalments of principal and interest falling due upon the said debentures.

Application of proceeds.

6. The said debentures and all moneys arising from the sale thereof shall be applied in payment of the said floating debt of \$29,763 and for no other purpose.

Assent of electors not required.

7. It shall not be necessary to obtain the assent of the electors of the town of Perth to the passing of any by-law which shall be passed under the authority of this Act or to observe the formalities in relation thereto prescribed by *The Municipal Act*.

Rev. Stat. c. 233.

Irregularity in form not to invalidate.

8. No irregularity in the form of the said debentures, or any of them, or of any by-law authorizing the issue thereof, shall render the same invalid or illegal, or be allowed as a defence to any action brought against the said corporation for the recovery of the said debentures or interest or any part thereof; and the purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such by-law or issuing debentures or as to the application of the proceeds thereof.

Treasurer to keep proper books of account.

9. It shall be the duty of the treasurer for the time being, of the said town, to keep, and it shall be the duty of each of the members, from time to time, of the council to procure such treasurer to keep, and see that he does keep, a proper book of account, setting forth a full and particular statement, so that the same shall at all times show the number of debentures which from time to time shall be issued under the powers conferred by this Act, and the respective amounts payment of which is thereby secured, and the times at which the said debentures shall respectively become due and payable, and the several amounts which shall, from time to time, be realized from the sales or negotiations of the said debentures and the application which shall, from time to time, be made of the said amounts; and the said book of account and statement shall at all times, and at all reasonable hours, be open to the inspection of any ratepayer of the said town, and of any of the holders, from time to time, of the debentures which shall be issued under the powers hereby conferred, or any of such debentures.



**10.** This Act shall come into force on the day upon which it receives the Royal Assent. Commence-  
ment of Act.

## CHAPTER 94.

## An Act respecting the City of St. Thomas.

*Assented to 3rd April, 1930.*

Preamble.

**W**HEREAS the corporation of the city of St. Thomas has by its petition represented that on the 7th day of November, 1929, a certain by-law No. 2786 was passed by the council of the said city for submitting to the electors the question, amongst others, whether they were or were not in favour of applying to the Legislature for authority to adopt in the said city a system of municipal government by a mayor and seven aldermen in lieu of the present system of government of a mayor and eleven aldermen; and whereas the said question was duly submitted to the electors on the 2nd day of December, 1929, when 1,586 electors declared themselves in favour of the said system or form of government, being 428 more electors than voted in favour of any other form of municipal government referred to in any of the other questions submitted to the said electors under the said by-law; and whereas the said council desires to carry into effect the wishes of the electors; and whereas the said corporation has by its petition further represented that it is reasonable that the said council be authorized to pass a by-law without submitting the same to the electors, qualified to vote upon money by-laws, for borrowing the sum of \$25,000 or any portion thereof by the issue and sale of debentures for the purpose of constructing storm sewers; and whereas the said corporation has by its petition prayed that an Act may be passed for such purposes; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

**1.** This Act may be cited as *The City of St. Thomas Act, 1930.*

Composition  
of council.

**2.**—(1) At the next annual municipal elections for 1931 and thereafter the council of the said corporation shall be composed of and comprise seven aldermen and a mayor, who shall be elected by a general vote of the qualified electors of the said city.

(2)

(2) Except as by this section varied, altered or changed Application of  
*The Municipal Act* and all other Statutes now applicable to the Rev. Stat., c. 233,  
said corporation, its council or officers, shall be in full force  
and effect.

3. The municipal council of the city of St. Thomas may Power to borrow \$25,000 for storm sewers.  
pass a by-law or by-laws without submitting the same to the  
electors qualified to vote on money by-laws, for borrowing the  
sum of \$25,000 by the issue and sale of debentures payable  
within thirty years from the date of issue of the same for  
paying the cost of construction of storm sewers.

4. This Act shall come into force on the day upon which Commencement of Act.  
it receives the Royal Assent.

## CHAPTER 95.

## An Act respecting the Town of Sandwich.

*Assented to 3rd April, 1930.*

Preamble.

**W**HEREAS the town of Sandwich has by its petition represented that certain by-laws of the said town require validation and that it is desirable that a certain agreement with The Hydro-Electric Power Commission of Ontario for the moving of the railway tracks on Sandwich Street in the said town be authorized and that the redistribution of the local improvement rates amongst the lots in Marlborough Park as resubdivided be confirmed; and whereas the said municipal corporation has prayed that an Act be passed for the above purposes; and whereas it is expedient to grant the prayer of the said petition:

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The Town of Sandwich Act, 1930.*

By-laws  
1629-1631,  
1733-1735,  
1981,  
confirmed.

**2.** By-laws of the town of Sandwich numbered 1629 to 1631, 1733 to 1735, all inclusive and by-law number 1665 authorizing the borrowing of \$11,635.02 by the issue of debentures to pay the cost of certain ornamental lights constructed under the provisions of *The Local Improvement Act* and by-law number 1981 consolidating the same and all debentures issued or to be issued thereunder are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Rev. Stat.,  
c. 235.

By-laws  
1625-1628,  
1657,  
confirmed

**3.** By-laws of the town of Sandwich numbered 1625 to 1628, inclusive, authorizing the borrowing of the sum of \$2,653.71 by the issue of debentures to pay the cost of certain sidewalks and watermains constructed under the provisions of *The Local Improvement Act* and by-law number 1657 consolidating the same and all debentures issued or to be issued thereunder are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

4. By-law number 1765 of the town of Sandwich authorizing the borrowing of the sum of \$9,400.12 to pay the cost of a storm sewer on Partington Avenue constructed under *The Local Improvement Act* and all debentures issued or to be issued thereunder are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof. By-law 1765, confirmed.
5. By-law number 1924 of the town of Sandwich authorizing the borrowing of the sum of \$2,563.94 by the issue of debentures to pay the cost of certain ornamental lights on Indian Road constructed under the provisions of *The Local Improvement Act* and all debentures issued or to be issued thereunder are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof. By-law 1924, confirmed.  
Rev. Stat., c. 235.
6. By-law number 1925 of the town of Sandwich authorizing the borrowing of the sum of \$5,116.99 by the issue of debentures to pay the cost of certain ornamental lights on Rosedale Avenue constructed under the provisions of *The Local Improvement Act* and all debentures issued or to be issued thereunder are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof. By-law 1925 confirmed.
7. By-law number 1926 of the town of Sandwich authorizing the borrowing of the sum of \$22,000 by the issue of debentures to pay the cost of the widening of Sandwich Street between Rosedale Avenue and Detroit Street under the provisions of *The Local Improvement Act* and all debentures issued or to be issued thereunder are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof. By-law 1926 confirmed.
8. By-law number 1927 of the town of Sandwich authorizing the borrowing of the sum of \$36,055.33 by the issue of debentures to pay the cost of paving Sandwich Street between Rosedale Avenue and Detroit Street constructed under the provisions of *The Local Improvement Act* and all debentures issued or to be issued thereunder are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof. By-law 1927 confirmed.
9. By-law number 1923 of the town of Sandwich authorizing the borrowing of \$4,000 by the issue of debentures to pay the cost of purchasing and installing fire hydrants and all debentures issued or to be issued thereunder are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof. By-law 1923, confirmed.

By-law 1891,  
re agreement  
with Power  
Commission  
of Ontario,  
confirmed.

**10.** By-law number 1891 of the municipal corporation of the town of Sandwich authorizing the entering into an agreement with The Hydro-Electric Power Commission of Ontario for the moving of the railway tracks on Sandwich Street and the said agreement, dated the 25th day of September, 1929, as set out in Schedule "1" to this Act are hereby declared to be legal, valid and binding upon the said corporation.

Plan resub-  
dividing  
Marlborough  
Park, con-  
firmed.

**11.** The plan of subdivision prepared by C. R. McColl, O.L.S., dated the 23rd day of January, 1930, resubdividing part of Marlborough Park lying between the Huron Line and the Prince Road in the town of Sandwich is hereby declared to be a legal subdivision and the Registrar of Deeds for the Registry Division of the county of Essex is hereby empowered and directed to accept the said plan for registration upon payment of the fees prescribed by *The Registry Act*.

Rev. Stat.,  
c. 155.

Apportion-  
ment of local  
improve-  
ment rates in  
Marlborough  
Park sub-  
division.

**12.** By-law number 1980 of the town of Sandwich set out in Schedule "2" hereto apportioning certain local improvement rates amongst the lots in the resubdivisions of Marlborough Park in the said town and the roll appearing as schedule "A" thereto are hereby declared to be legal, valid and binding upon the said corporation and the ratepayers thereof and each amount set out therein is hereby declared to be a charge upon the lot opposite which it appears under the provisions of *The Assessment Act* and may be collected thereunder in the same manner as other municipal taxes are collected.

Rev. Stat.,  
c. 238.

Commence-  
ment of  
Act.

**13.** This Act shall come into force on the day upon which it receives the Royal Assent.

## SCHEDULE "1"

## BY-LAW NUMBER 1891 OF THE TOWN OF SANDWICH.

A By-law to authorize the execution of an agreement with the Hydro-Electric Power Commission of Ontario for the widening of Sandwich Street from Rosedale Avenue to Detroit Street.

Whereas it is desirable to widen Sandwich Street in the Town of Sandwich between Rosedale Avenue and Detroit Street by acquiring the present right-of-way of the Hydro-Electric Power Commission of Ontario and moving the tracks to the centre of the street as widened.

And whereas it is necessary to enter into an agreement with the Hydro-Electric Power Commission of Ontario in order to carry out such work.

Therefore the Municipal Corporation of the Town of Sandwich by the Council thereof enacts as follows:—

1. The Mayor and Clerk be and they are hereby authorized to execute on behalf of the Town of Sandwich and to seal with the Corporate seal of the Town, a certain agreement between the Hydro-Electric Power Commission of Ontario of the First Part and the Municipal Corporation of the Town of Sandwich of the Second Part dated the 23rd day of September, 1929, a copy of which is attached as Schedule "A" hereto and deliver up the original thereof to the Hydro-Electric Power Commission of Ontario upon receipt of a duplicate original duly executed by the proper officers of the Hydro-Electric Power Commission of Ontario.

2. This by-law shall come into force and effect upon the final passing thereof.

Read first time, September 23rd, 1929.

Read second time, September 23rd, 1929.

Read third time, September 23rd, 1929.

(Sgd.) ERNEST THRASHER, *Mayor*.

(Sgd.) E. R. NORTH, *Clerk*.

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*Schedule "A"*

This Agreement made in duplicate this 23rd day of September, A.D. 1929.

BETWEEN:

THE HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO,  
hereinafter called the "Commission,"

of the first part;

—and—

THE CORPORATION OF THE TOWN OF SANDWICH,  
hereinafter called the "Town,"

of the second part.

Whereas under *The Hydro-Electric Railway Act, 1914*, and amendments thereto and the Agreement, dated the First day of January, 1920, between the Commission of the one part and the Town and other Municipal Corporations of the other part, which Agreement was confirmed and validated by *The Hydro-Electric Railway Act, 1920*, the Commission holds and

operates

operates the Street Railway in the Town of Sandwich formerly known as The Sandwich, Windsor and Amherstburg Railway, and all the works, property and effects of the said Railway or held or used in connection therewith, are vested in the Commission;

And whereas part of the said Railway in the Town of Sandwich between Rosedale Avenue and Detroit Street is located on the lands hereinafter more particularly described being part of the said property vested in the Commission;

And whereas the Town desires to widen Sandwich Street in the Town of Sandwich between the said Rosedale Avenue and Detroit Street, and for such purposes desires to acquire the said lands and desires the tracks of the said Railway to be moved to the centre of the roadway as so widened, and the Commission is willing to co-operate with the Town for such purposes on the terms and conditions herein contained;

Now therefore this Agreement witnesseth that in consideration of the premises and the other considerations herein contained, the parties hereto covenant, promise and agree as follows:—

1. The Commission shall convey to the Town all its right, title, interest, claim and demand in, to or out of the said lands which may be more particularly described as follows:—

All and singular that certain parcel or tract of land situate, lying and being in the Town of Sandwich in the County of Essex and being composed of that certain strip of land adjoining the southeasterly side of Sandwich Street between the westerly side of Rosedale Avenue and the northerly side of Detroit Street more particularly described in two certain Conveyances, namely, the Conveyance dated the twenty-first day of May, 1874, and registered the second day of June, 1874, in Book "C" for the Town of Sandwich as Number 1160 from H. J. T. Garrett and Alexander Wilkinson, trustees under the marriage settlement of Emma Agnes Garrett to the Sandwich and Windsor Passenger Railway Company, and the Conveyance, dated the thirtieth day of October, 1906, and registered the sixth day of November, 1906, in the said Registry Office in Book "J" for the Town of Sandwich as Number 4584 from Harwood O. Fleming to The Sandwich, Windsor and Amherstburg Railway Company.

2. The Commission at its own expense shall remove the tracks of the said Railway from their present position on the said lands and shall reconstruct the same in the location, grade and level shown on the Plan of the said widened Sandwich Street attached to this Agreement and marked "A" and forming part hereof.

3. The Commission at its own expense shall remove all the poles, wires, conductors and overhead construction for the said Railway and all its other poles, wires and transmission lines from the said lands, and shall replace the poles for Railway overhead construction with iron or steel poles of standard design similar to that used by the Commission in similar locations elsewhere for the said Railway, which shall be drilled and ready for the installation of ornamental bracket street lights, and shall replace its other poles and wires with poles and wires of similar construction to that used by the Commission elsewhere in similar locations and shall set all the said poles back of the curb shown on the said Plan.

4. The Commission at its own expense shall pave level with the top of the rails of its said new track that portion of the said widened Sandwich Street between Rosedale Avenue and Detroit Street lying between the outside rails of the said tracks and outside thereof for a distance of Fifteen Inches (15") from the gauge side of the said outside rails and shall construct the said pavement with concrete pavement of sufficient thickness for the purposes of the Commission and in a manner acceptable to the Engineer of the Town.

5. The Town shall pay to the Commission the sum of Twenty-one Thousand Dollars (\$21,000.00) of lawful money of Canada at Windsor, Ontario, on completion of the said work of track reconstruction and pavement, as full compensation for the land conveyed to the Town as aforesaid.



6. The Town shall pay to the Commission the actual cost to the Commission as shown by the Commission's books of the said pavement and shall pay the said cost to the Commission in lawful money of Canada at Windsor, Ontario, after the completion of the said pavement and within Thirty (30) days from the date when the Commission shall have rendered a bill therefor to the Town.

In witness whereof the Parties hereto have caused this Agreement to be executed under their corporate seals attested by the hands of their proper officers duly authorized thereto.

SIGNED, SEALED AND DELIVERED

in the presence of:

THE HYDRO-ELECTRIC POWER COM-  
MISSION OF ONTARIO.

(Sgd.) C. A. MAGRATH, *Chairman*.

*Recommended*

(Sgd.) W. W. POPE, *Secretary*.

.....19...

Eng. Dept.

THE CORPORATION OF THE TOWN OF  
SANDWICH.

Sept. 24, 1929.

(Sgd.) W. R. ROBERTSON,

(Sgd.) M. LONEY, *Mayor*.

Dept.

Sept. 24, 1929.

(Sgd.) E. R. NORTH, *Clerk*.

(Sgd.) GEORGE HANNA,

Legal Dept.

*Approved*

Dec. 16, 1929

(Sgd.) J. A. ELLIS, *Gen. Solicitor*.

Jan. 2, 1930.

(Sgd.) F. A. GABY, *Chief Engineer*

## SCHEDULE "2"

### BY-LAW NUMBER 1980 OF THE TOWN OF SANDWICH.

A By-law to provide for the redistribution of the local improvement rates and other taxes amongst the lots in Marlborough Park.

Whereas the Marlborough Park Subdivision was laid out according to Plan 673 into six hundred and fifty-five (655) lots with numerous streets both straight and curved and intersecting one another at varying angles.

And whereas the taxes for a number of years upon the said lots got seriously in arrear and the owner in order to finance the payment of the arrears was obliged to resubdivide a large number of the lots and to lay out new streets which did not coincide with the old ones and also alleys and this left numerous corners, strips and irregular parts of the old lots amongst which the general taxes and the local improvement rates had to be apportioned.

And whereas such a resubdivision and alteration of the lots and of the streets and alleys in the said Park has occurred on more than one occasion namely at the time of the registration of Plans 1059 and 1344.

And whereas at the present time another resubdivision for a similar purpose has been completed.

And whereas the effect of the successive subdivisions has been to so complicate the apportionment of the taxes and especially of the local improvement rates amongst the parts of lots that doubt has been thrown upon the right of the Municipal Corporation to take proceedings for the recovery of the taxes by way of sale of the remaining parts of lots for arrears.

And

And whereas owing to the widening of the Huron Line a sum of money is coming due to the owner of the said lands which will enable the Corporation to recover the present arrears and it is desirable that the new plan should be registered and the redistribution of the taxes amongst the lots as so resubdivided be made certain.

And whereas the Treasurer and the Engineer of the Corporation have prepared a roll showing the redistribution of the taxes and local improvement rates amongst the said lots as so finally resubdivided.

Therefore the Municipal Corporation of the Town of Sandwich by the Council thereof enacts as follows:—

1. The Corporation of the Town of Sandwich hereby adopts the plan of subdivision of C. R. McColl, dated the 23rd day of January, 1930, and consents to its registration under the provisions of *The Planning and Development Act*, being Chapter 236, Revised Statutes of Ontario, 1927.

2. The amounts appearing opposite each lot in the said Marlborough Park Subdivisions under the respective by-law number as set out in Schedule "A" hereto are hereby declared to be the true proportions of the Local Improvement rates payable each year in respect of the said lots under the said by-laws during their currency and to be the amounts chargeable upon the same under the provisions of *The Assessment Act*.

3. The amounts appearing opposite each lot in the said Marlborough Park Subdivisions under the heading "Arrears 1929" as set out in Schedule "A" hereto are hereby declared to be the true proportions of the local improvement rates and general taxes payable for the year 1929 in respect of the said lots and the same are hereby declared to be the amounts chargeable upon the said lots under the provisions of *The Assessment Act*.

4. The amounts appearing opposite each lot in the said Marlborough Park Subdivisions under the heading "Arrears up to December 31st, 1928" as set out in Schedule "A" hereto are hereby declared to be the true proportions of the local improvement rates and general taxes in arrear on and before the 31st of December, 1928, in respect of the said lots and the same are hereby declared to be the amounts chargeable upon the said lots under the provisions of *The Assessment Act*.

5. This by-law shall come into force and effect upon the final passing thereof.

Read first time, January 23rd, 1930.

Read second time, January 23rd, 1930.

Read third time, January 23rd, 1930.

M. LONEY, *Mayor*.

E. R. NORTH, *Clerk*.

## CHAPTER 96.

An Act respecting the Township of  
Sandwich West.

*Assented to 3rd April, 1930.*

**W**HEREAS the corporation of the township of Sandwich Preamble.  
West has by its petition represented that it is desirable that its by-law bearing number 891 as set out in schedule "A" hereto should be validated and confirmed; and whereas the said corporation of the township of Sandwich West has represented that it is desirable that the agreement entered into between it, the said corporation of the township of Sandwich West and the New York Central Railroad Company, as sub-lessee of the Canada Southern Railway, as set out in schedule "B" hereto, be confirmed; and whereas the said corporation of the township of Sandwich West has further represented that differences have arisen between the corporation of the township of Sandwich West and the New York Central Railroad Company in regard to the assessment of the lands and structures thereon of the New York Central Railroad Company, as sub-lessee of the Canada Southern Railway, and in regard to an application made by the said corporation of the township of Sandwich West for widening of three subways located at Dougall Road, where same intersects the right-of-way of the said New York Central Railroad Company; and whereas the corporation of the township of Sandwich West has further represented that the difficulties which have arisen between it, the said corporation of the township of Sandwich West and the New York Central Railroad Company have been settled, and an agreement has been entered into between the said corporation of the township of Sandwich West and the New York Central Railroad Company, as set out in schedule "B" hereto, and it is desirable to confirm and validate the said by-law number 891 and the said agreement; and whereas the said corporation has by its petition prayed for an Act to be passed for such purpose; and whereas subject to the provisions of this Act, it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Township of Sandwich* Short title.  
*West Act, 1930.*

By-law 891  
of Township  
of Sandwich  
West  
confirmed.

**2.** By-law number 891 of the corporation of the township of Sandwich West as set forth in schedule "A" to this Act is hereby confirmed and declared to be legal, valid and binding, and the agreement set forth in schedule "B" to this Act is also confirmed and declared to be legal, valid and binding, and shall in all respects have the same force and effect as though the same were expressly embodied in this Act.

Amendment  
of assessment  
roll for 1930.

**3.** The assessment roll of the corporation of the township of Sandwich West for the year 1930 shall be amended by the clerk of the corporation with respect to the assessment of the said company so as to carry into effect the provisions of the said agreement and of this Act in that behalf.

Commence-  
ment of Act.

**4.** This Act shall come into force on the day upon which it receives the Royal Assent.

## SCHEDULE "A"

## CORPORATION OF THE TOWNSHIP OF SANDWICH WEST

## BY-LAW NUMBER 891

A By-law to authorize the execution of an Agreement between the New York Central Railroad Company, as sub-lessee of the Canada Southern Railway and the Corporation of the Township of Sandwich West, and to fix the assessment of the said New York Central Railroad Company as sub-lessee of the Canada Southern Railway, in the Township of Sandwich West, for a period of fifteen years.

Whereas the Canada Southern Railway is the owner of two hundred and forty-seven (247) acres of land, more or less, in the Township of Sandwich West, together with structures, superstructures, rails, ties, poles and other property thereon, all of which said lands and properties thereon, are leased to the New York Central Railroad Company;

And whereas difficulties have arisen between the Township and the New York Central Railroad Company in respect of the assessment of the lands of the Canada Southern Railway and the structures and buildings thereon;

And whereas the Corporation of the Township of Sandwich West has made application to the Board of Railway Commissioners for Canada to have the three subways under the railway tracks on the Dougall Road, widened to double their present capacity.

And whereas the Corporation of the Township of Sandwich West and the New York Central Railroad Company have carried on negotiations for the purpose of settling their difficulties, and the terms of a proposed Agreement have been settled and are contained in the Agreement hereunto annexed;

Now therefore the Municipal Council of the Corporation of the Township of Sandwich West enacts as follows:

1. That the entering into the proposed Agreement hereunto annexed and marked Schedule "A" is hereby approved and authorized.

2. That the Reeve and Clerk be and they are hereby authorized and directed to sign the said Agreement and to affix to it the Corporate seal of the Corporation.

3. The assessment of the lands owned by the Canada Southern Railway and sub-let to and operated by the New York Central Railroad Company, situated within the limits of the Township of Sandwich West, comprising 247 acres more or less, is hereby fixed at the following amounts, for the following years—for the years 1930 to 1934, both inclusive, at \$400.00 per acre; for the years 1935 to 1939, both inclusive, at \$600.00 per acre; and for the years 1940 to 1944, both inclusive, at \$900.00 per acre.

4. That the assessment of all buildings, structures, sub-structures or renewals and substitutions thereof now on the lands of the Canada Southern Railway, which are subject to assessment under the provisions of the Assessment Act, shall be fixed at \$25,000.00 for a period of fifteen years, commencing in the year 1930 and expiring in the year 1944.

5. That the fixed assessment of \$25,000.00 shall not include buildings on the lands of the Canada Southern Railway, now leased to and occupied by the Empire State Ice Company, nor does it include any new buildings erected by the Company on the Railway lands, which are not renewals or substitutions of existing buildings, and should such new buildings,

structures or sub-structures liable to assessment be erected, the Township agrees to continue the assessment of such buildings at their assessable value for the unexpired period of this Agreement.

6. This By-law shall not come into force and effect until ratified by the Legislative Assembly of the Province of Ontario.

Passed this 22nd day of February, A.D. 1930.

[SEAL]  
Corporation Township of  
Sandwich West.

ANTHONY A. MARENTETTE,  
*Reeve.*

HARRY E. BONDY,  
*Clerk.*

## SCHEDULE "B"

MEMORANDUM OF AGREEMENT made in duplicate the 19th day of February,  
A.D. 1930.

BETWEEN:

THE CORPORATION OF THE TOWNSHIP OF SANDWICH WEST,  
hereinafter called "The Township"

*of the First Part*

—AND—

THE NEW YORK CENTRAL RAILROAD COMPANY, as Sub-Lessee  
of the Canada Southern Railway, hereinafter called "The  
"Company,"

*of the Second Part*

Whereas the Canada Southern Railway Company owns 247 acres (more or less) of land in the Township of Sandwich West, together with structures, super-structures, rails, ties, poles and other property thereon, all of which are leased to the Company, who pay the taxes thereon, and differences of opinion have arisen between the Township and the Company with reference to the assessment and the taxation of this property;

And whereas a Provincial Highway known as the Dougall Road crosses the said lands and passes under the tracks of the Company in the Township of Sandwich West by means of three subways, which were constructed in accordance with the terms of an agreement entered into between the Township and the Canada Southern Railway, dated 9th December, 1905, as varied by an Order number 4016, of the Board of Railway Commissioners for Canada, dated 5th May, 1906;

And whereas for valuable consideration, His Majesty The King, in the right of the Province of Ontario as represented by the Minister of Public Works and Highways for the Province of Ontario, by agreement dated 11th February, 1927, took over the maintenance and drainage of the said subways for a period of five years from the 19th October, 1925;

And whereas the Township now desires to have the said subways widened and has requested the Company to consent to an Order being made by the Board of Railway Commissioners for Canada directing that the said subways be widened, and further that one-half of the cost of construction be borne by the Company;

And whereas the Company is willing to accede to the Township's request upon the following conditions, that is to say:—(1) That the Township fix the assessment of all the railway property in the Township of Sandwich West for a period of fifteen years. (2) That the Township relieve the Company for all time to come from any obligation to maintain the roadways through the said subways and to drain the same, notwithstanding anything contained in the said agreement between His Majesty The King and the Canada Southern Railway Company, dated 11th February, 1927;

And whereas the Township has agreed to pass a By-law fixing the assessment as aforesaid, and to apply to the Legislative Assembly of the Province of Ontario for an Act to confirm and validate the same, and the Company has agreed that upon such Act receiving the Royal Assent to file with the Board of Railway Commissioners for Canada its consent to an Order being issued directing the widening of the said subways as hereinafter provided;

Now therefore this Agreement witnesseth that for and in consideration of the premises and the performance and observance of the stipulations, covenants and agreements hereinafter contained, the Township and the

Company

Company for itself, its successors and assigns, hereby covenant and agree one with the other as follows:—

1. That the Township shall pass a By-law fixing the assessment of all lands and buildings of the Canada Southern Railway in the Township of Sandwich West as follows:—(a) For the years 1930, 1931, 1932, 1933, and 1934 at \$400.00 per acre; (b) For the years 1935, 1936, 1937, 1938 and 1939 at \$600.00 per acre; (c) For the years 1940, 1941, 1942, 1943 and 1944 at \$900.00 per acre; (d) That the assessment of all buildings, structures, sub-structures, or renewals and substitutions thereof now on the lands of the Canada Southern Railway, which are subject to assessment under the provisions of the Assessment Act, shall be fixed at \$25,000.00 for a period of fifteen years, commencing in the year 1930 and expiring in the year 1944; (e) That the fixed assessment of \$25,000.00 shall not include buildings on the lands of the Canada Southern Railway now leased to and occupied by the Empire State Ice Company, nor does it include any new buildings erected by the Company on the railway lands which are not renewals or substitutions of existing buildings, and should such new buildings, structures, or sub-structures liable to assessment be erected, the Township hereby agrees to fix the assessment of such buildings, at their assessable value, for the unexpired period of this Agreement.

2. That the Township hereby agrees to apply to the Legislative Assembly of the Province of Ontario for an Act confirming and validating the said By-law and this Agreement, and the Company agrees upon such Act receiving the Royal Assent to file with the Board of Railway Commissioners for Canada a consent to an Order being issued directing the widening of the said subways so as to give two clear roadways each of a width of thirty feet, between supports; providing, however, that the Company is not called upon to pay more than one-half the construction cost.

3. That notwithstanding anything contained in Agreement bearing date 9th December, 1905, between the Corporation of the Township of Sandwich West and the Canada Southern Railway Company, it is hereby understood and agreed by and between the parties hereto that the Company is not now, nor shall it be at any future time, liable for the maintenance of the roadways through the said subways, or for the drainage of the said subways when reconstructed.

4. That the Company agrees to pay to the Corporation of Sandwich West one-half the cost of the application to the Legislative Assembly of the Province of Ontario for the Act confirming and validating the said By-law and Agreement, providing the cost payable by the Company shall not exceed \$500.00.

5. That this Agreement shall come into force and effect on the day upon which the Act receives the Royal Assent.

In witness whereof the Corporation of the Township of Sandwich West, and the New York Central Railroad Company have hereunto affixed their corporate seals, attested thereto by the hands of their proper officers in that behalf.

SIGNED, SEALED AND  
DELIVERED

in the presence of

THE CORPORATION OF THE TOWNSHIP OF  
SANDWICH WEST,

By ANTHONY A. MARENTETTE,  
HARRY E. BONDY,  
*Recve. Clerk.*

SEAL

THE NEW YORK CENTRAL RAILROAD  
COMPANY,

By J. M. O'MAHONEY,  
P. E. CROWLEY.

SEAL



## CHAPTER 97.

## An Act respecting the City of Sarnia.

*Assented to 3rd April, 1930.*

**W**HEREAS the corporation of the city of Sarnia has by Preamble.  
petition represented that by-law 1832 for the purpose  
of borrowing \$160,000 for hospital purposes was passed on  
the 30th day of December, 1929, and by-law 1759 for borrow-  
ing \$203,650 for the erection of a public school was passed on  
the 5th day of June, 1928, and that on account of certain  
objections which have been raised on behalf of intending  
purchasers of the said debentures it is desirable that the said  
by-laws and the debentures to be issued thereunder should  
be confirmed; and whereas the said corporation has by  
petition prayed that an Act may be passed for that purpose;  
and whereas it is expedient to grant the prayer of the said  
petition;

Therefore, His Majesty, by and with the advice and con-  
sent of the Legislative Assembly of the Province of Outario,  
enacts as follows:—

1. By-law No. 1832 passed by the council of the By-law  
1832 con-  
corporation of the city of Sarnia on the 30th day of December, 1929, and entitled "A By-law to raise \$160,000 by sale of  
debentures for hospital purposes," and all debentures issued  
or to be issued under the said by-law are hereby ratified and  
confirmed and declared to be legal, valid and binding upon  
the said corporation of the city of Sarnia and the ratepayers  
thereof.

2. By-law No. 1759 passed by the council of the cor- By-law  
1759 con-  
poration of the city of Sarnia on the 5th day of June, 1928, and entitled "A By-law to raise \$203,650 to pay for the  
erection of a new Public School on the corner of Russell  
Street and Talfourd Street, and for equipment therefor," and  
all debentures issued or to be issued under the said by-law  
are hereby ratified and confirmed and declared to be legal,  
valid and binding upon the said corporation of the city of  
Sarnia and the ratepayers thereof.

3. This Act shall come into force on the day upon which it Commence-  
ment of Act.  
receives the Royal Assent.

## CHAPTER 98.

## An Act respecting the City of Sault Ste. Marie.

*Assented to 3rd April, 1930.*

## Preamble.

**W**HEREAS the corporation of the city of Sault Ste. Marie, hereinafter called the corporation, has by its petition represented that the by-laws of the said corporation set forth in Schedule "A" hereto, and the debentures issued or to be issued thereunder, should be validated and confirmed; and whereas the said corporation has by its petition further represented that by-law number 26 of the municipality of Sault Ste. Marie, passed on the 3rd day of April, 1873, authorizing the conveyance of original Spring Street as laid down on a map or plan of survey of the town of Sault Ste. Marie by Alexander Vidal, P.L.S., dated the 3rd day of June, 1846, of record in the Crown Lands Department, to one Joseph Wilson, in exchange for certain lands owned by the said Joseph Wilson to be used by the said municipality for the purpose of a highway to be known as Spring Street, and the conveyances from the said Joseph Wilson to the said municipality and from the said municipality to the said Joseph Wilson made thereunder, should be validated and confirmed; and whereas the said corporation has by its petition prayed that an Act may be passed for said purposes; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:

## Short title.

**1.** This Act may be cited as *The City of Sault Ste. Marie Act, 1930.*

## By-laws confirmed.

**2.** The by-laws of the said corporation specified under Schedule "A" hereto, and the debentures issued or to be issued thereunder are hereby confirmed and declared to be legal, valid and binding upon the corporation and the rate-payers thereof, and it is declared that the said corporation has corporate power to validly take and enforce according to the terms thereof the mortgage from the Plummer Memorial Public Hospital to secure the guarantee mentioned

in the paragraph lettered (l) of Schedule "A" hereto, and that the said mortgage is valid and binding on the said Plummer Memorial Public Hospital and the Board of Governors thereof.

**3.** By-law number 26 of the municipality of Sault Ste. Marie passed on the 3rd day of April, 1873, is hereby confirmed and declared to be legal, valid and binding upon the corporation and the ratepayers thereof and it is declared that the conveyance dated the 3rd day of April, 1873, from the said municipality to one Joseph Wilson of original Spring Street and a conveyance dated the 3rd day of April, 1873, from the said Joseph Wilson to the said municipality of certain land for the purpose of a highway to be known as "Spring Street" more fully set forth in said by-law validly and effectually vested the land described in said conveyances in the respective grantees therein named, their respective heirs, successors and assigns. By-law No. 26 confirmed.

**4.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

## SCHEDULE "A."

(a) By-law No. 1417 to amend By-law No. 914 of the said Corporation by striking out the provision therein contained for limiting the amount of salary to be paid the commissioners of the Public Utility Commission of the said City and to provide that the salary of said commissioners shall be in accordance with the provisions of the Public Utilities Act of Ontario;

(b) By-law No. 1347 to provide for the issue of debentures for \$15,500.00 to pay for the construction of concrete walks constructed in the year 1927;

(c) By-law No. 1348 to provide for the issue of debentures for \$8,500.00 to pay for the construction of sanitary sewers constructed in the year 1927;

(d) By-law No. 1384 to provide for the issue of debentures for \$5,000.00 for the erection of a Greenhouse at Bellevue Park in the said City;

(e) By-law No. 1385 to provide for the issue of debentures for \$4,900.00 for the construction of concrete walks constructed in the year 1928;

(f) By-law No. 1387 to authorize the issue of debentures for \$6,000.00 for the construction of concrete bridges constructed in the year 1928;

(g) By-law No. 1366 to provide for the issue of debentures for \$19,000.00 for the construction of storm sewers constructed in the year 1929;

(h) By-law No. 1388 to provide for the issue of debentures for \$10,000.00 for building changes and additional equipment for the Collegiate Institute;

(i) By-law No. 1367 to provide for the issue of debentures for \$6,600.00 for the erection of a Mortuary in the said City;

(j) By-law No. 1416 to provide for the issue of debentures for \$4,600.00 for changes to the building of and equipment for the Technical School;

(k) By-law No. 1412 to provide for the issue of debentures for \$12,000.00 for the purchase of snow removal equipment;

(l) By-law No. 1413 to provide for the guarantee of bonds of the Plummer Memorial Public Hospital in the said City to the extent of \$45,000.00 and for taking security by way of mortgage for said guarantee;

(m) By-law No. 1421 to provide for the issue of debentures for \$40,000.00 for the construction of street pavements constructed during the year 1929;

(n) By-law No. 1422 to provide for the issue of debentures for \$1,600.00 for the construction of sanitary sewers constructed in the year 1928;

(o) By-law No. 1423 to provide for the issue of debentures for \$12,300.00 for the following purposes:—\$6,000.00 for the construction of storm sewers constructed in the year 1929; \$4,000.00 for the construction of concrete walks constructed in the year 1929; \$1,600.00 for the construction of sanitary sewers constructed in the year 1929; and \$700.00 for private sewer connections constructed in the year 1929.

## CHAPTER 99.

An Act to validate an Agreement between the  
Corporation of the City of Stratford and  
one Howard Hodgkins.

*Assented to 3rd April, 1930.*

**W**HEREAS the corporation of the city of Stratford and Howard Hodgkins have by their petition represented that Howard Hodgkins operates a bus transportation system in and about the city of Stratford in the Province of Ontario; that the corporation of the city of Stratford and the said Howard Hodgkins have executed the agreement set forth in schedule "A" hereto; that the council of the corporation of the city of Stratford submitted to the municipal electors of the city of Stratford in accordance with the provisions of *The Municipal Act* the question whether the said electors were in favour of the said agreement; that the said question received 2,798 votes in the affirmative and 1,507 votes in the negative; and whereas it is desirable and in the interests of the said corporation of the city of Stratford and of the said Howard Hodgkins that such agreement should be validated and confirmed and that the said corporation should be empowered to pass such by-laws, to enter into such agreements, and to do all such other matters and things as may be deemed necessary by the said corporation for the full and proper carrying out of the provisions of the said agreement, and that the said agreement be declared legal and binding upon the parties thereto; and whereas it is desirable and in the interests of the said corporation of the city of Stratford and of the said Howard Hodgkins that where jurisdiction respecting any of the matters mentioned in the said agreement is now or may hereafter be vested in the Board of Police Commissioners of the said city, or any other authority, such powers as may be necessary to enable the council of the said corporation to carry out the provisions of the said agreement shall be exercised by the council of the said corporation instead of by the said Board or other authority; and whereas the said corporation and the said Howard Hodgkins have by their petition prayed that an Act may be passed for such purposes; and whereas it is expedient to grant the prayer of the said petition;

Preamble.

Rev. Stat.,  
c. 233.

Therefore

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:

Short title.

1. This Act may be cited as *The City of Stratford Act, 1930.*

Agreement  
between City  
and  
H. Hodgkins  
re operation  
of buses con-  
firmed.

2.—(1) Subject to the provisions of subsection 2, the agreement dated the 29th day of July, A.D. 1929, made between the corporation of the city of Stratford, of the first part, and Howard Hodgkins, of the other part, set forth in schedule "A" hereto, is hereby confirmed and declared to be legal, valid and binding in the same manner and to the same extent as if set out at length and the provisions thereof enacted in this Act; and the said corporation is hereby authorized and empowered to pass such by-laws, to enter into such other agreements, and to do all such other matters and things as may be deemed necessary by the said corporation for the full and proper carrying out of the provisions of the said agreement, and where jurisdiction respecting any of the matters mentioned in said agreement is now or may hereafter be vested in the Board of Police Commissioners of the said city, or any other authority, such powers as may be necessary to enable the council to carry out the provisions of the said agreement shall be exercised by the council of the said corporation instead of by the said Board or other authority.

(2) Notwithstanding anything to the contrary contained therein the said agreement shall be limited to providing and operating a passenger transportation system within the limits of the city of Stratford and shall not be construed as affecting the powers conferred on the Department of Public Highways by *The Public Vehicle Act.*

Rev. Stat.,  
c. 252.

Commence-  
ment of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

## SCHEDULE "A."

This Agreement made in triplicate the 29th day of July in the year of Our Lord One thousand nine hundred and twenty-nine.

BETWEEN:

HOWARD HODGKINS OF THE CITY OF STRATFORD, *in the County of Perth, Bus Operator, carrying on business under the firm name and style of "STRATFORD COACH LINES,"* hereinafter called "STRATFORD COACH LINES,"

of the first part;

—and—

THE CORPORATION OF THE CITY OF STRATFORD,  
hereinafter called the "CORPORATION,"

of the second part.

Whereas Howard Hodgkins has offered to provide and operate Local Bus Lines as defined in this Agreement and to provide and operate a local passenger transportation system for the City of Stratford upon the terms and conditions hereinafter set forth;

And whereas by By-law duly passed by the Municipal Council of the Corporation, the Mayor and Clerk of the Corporation have been authorized and directed to execute, seal and deliver this Agreement on behalf of this Corporation;

Now therefore this Agreement witnesseth that for valuable consideration the parties hereto covenant and agree as follows:—

*Definitions*

In this Agreement and in any By-law, Resolution or Notice incidental hereto or provided for hereunder, unless the context otherwise requires:

1. "*Arbitrators*" shall mean a Board of Arbitrators consisting of the Judge for the time being of the County Court of the County of Perth, one arbitrator appointed by the said Howard Hodgkins and one arbitrator appointed by the said Corporation.

2. "*City*" shall mean the area comprised within the present municipal boundaries of the City of Stratford, and all such additional areas as may hereafter from time to time be annexed thereto, from the time each additional area is annexed.

3. "*Rolling Stock*" shall mean and include all motor cars, buses, vehicles and every description of car and other equipment whatsoever designed for movement on its own wheels and propelled by its own power, utilized under the terms of this agreement by Stratford Coach Lines.

4. "*Stratford Coach Lines*" shall mean Howard Hodgkins and shall include his heirs, executors, administrators, successors and assigns.

5. "*Local Lines*" shall mean and include all streets and lines of Bus Transportation within the boundaries of the City of Stratford, and between the said City and its Airport.

6. "*Interurban Lines*" shall mean and include all lines of Motor Coach other than Local Lines.

7. "*City Engineer*" shall mean the person for the time being holding the office of City Engineer of the Corporation, or the person who shall for the time being exercise the duties of City Engineer.

8. "*Franchise*" shall mean and include all rights and privileges hereby granted to Howard Hodgkins in respect to Stratford Coach Lines, Local Lines and Interurban Lines.

9. "*Street*" shall include a highway, lane, bridge, forming part of a highway and a public place.

10. "*Depreciation*" shall mean the unavoidable lessening of useful life in an article due to impairment from any cause whatever, exclusive of accidental injury and is expressed as an amount which is a percentage of the actual cost new, less salvage, of the particular item under consideration, said percentage being the proportion which said lessening of useful life bears to the total useful life of the particular item.

11. "*Operating Expenses*" shall mean and include all expenditures and liabilities usually classified as such, including expenditures and liabilities for repairing, preserving, renewing and replacing Local Bus Equipment and assets constituting ordinary maintenance charges, license fees, taxes, wages and salaries at usual scale in such businesses, insurance premiums, fuel and printing expenditures and usual expenses in operation.

12. "*Bona Fide Pupils*" shall include children under sixteen years of age who may be employed under a permit issued or procured under the provisions of *The Adolescent School Attendance Act*, or who may be in attendance at any authorized Continuation Class conducted by the Board of Education of the City of Stratford.

13. "*The Singular*" shall include the plural.

1. The Corporation hereby grants to Howard Hodgkins, his heirs, executors, administrators and assigns, as hereinafter provided, the exclusive right, franchise and privilege for the full period of ten years from the date hereof to operate a passenger transportation system, not including a street railway, and for such purpose to construct, maintain, lease, use, own and operate buses and other vehicles operated by gasoline, electricity (except when supplied by overhead wires), steam, air or other motive power, together with any rolling stock and equipment necessary and incidental thereto to the extent, and upon the terms mentioned and authorized in and by this Agreement and for the said purpose to use, occupy and operate upon all the streets of the Corporation for the said term of years, but nothing herein contained shall be deemed to permit Stratford Coach Lines to operate a street railway.

2. In consideration of the rights, franchise and privilege herein granted by the Corporation to Howard Hodgkins, Howard Hodgkins hereby covenants and agrees to pay to the Corporation the sum of Five Hundred (\$500.00) Dollars of lawful money of Canada, per annum, on the First day of August in each year from and after the expiration of the first five years of the said term, the first of such payments to become due and payable on the First day of August, 1935.

3. During the term of this Agreement or until the termination thereof, the Corporation shall not, without the consent of Howard Hodgkins or/and Stratford Coach Lines, grant or permit to be granted to any other person, partnership, company or corporation, any right, privilege, license or franchise to construct, maintain, use or operate any lines of railway for local passenger traffic or any bus, jitney or other similar vehicle for the purpose of transportation of passengers for gain or hire which shall in any way depreciate the rights, privileges and franchise hereby granted or the operation of which shall come into competition with the Local Bus Lines; *provided* that any such grant to operate a bus or jitney or other similar vehicle between any point in the City and any locality outside of the City not served by the Local Bus Lines, shall not be deemed to depreciate the said rights, privileges and franchise, but in no case shall any bus, jitney or other similar vehicle be permitted to take on passengers within the City and discharge such passengers within the City. And provided further that this Section shall not apply to ordinary cabs or taxicabs kept for hire and used for trips not over fixed routes at fares fixed by the Corporation's Police Commission.



4. Notwithstanding anything herein contained, should Howard Hodgkins or Stratford Coach Lines by reasons of strikes, riots, acts of God, the public enemies, or any other reason except road and weather conditions, fail to operate any portion of its Local Lines, the Corporation may grant or permit to be granted to any person, partnership, company or corporation, the right to operate buses, jitneys, or other vehicles for the transportation of passengers over such portion as long as such failure continues, and should Howard Hodgkins or Stratford Coach Lines fail to operate any portion of his or its local lines for a period of three months, the Corporation may at its option, upon thirty days' notice in writing to Howard Hodgkins or Stratford Coach Lines, cancel this agreement, and thereupon all rights of Howard Hodgkins or Stratford Coach Lines hereunder shall cease and be determined, and Howard Hodgkins or Stratford Coach Lines shall not be entitled to any compensation or damages whatsoever.

5. Howard Hodgkins may, with the consent of the Corporation and on such terms as may be agreed upon by and between Howard Hodgkins, the Corporation and any other bus lines or company, grant running rights over the local Bus Lines to passenger buses of any such other bus lines or company operating without the City, in case such other Bus Line desires an entrance to the City, and if Howard Hodgkins or/and Stratford Coach Lines and such other Bus Lines or Company and the Corporation cannot agree as to terms upon which such running rights should be granted, then such terms shall be fixed by arbitration.

6. Steam or/and electricity may be used as motive power to operate any form of vehicle suitable in addition to or in substitution for gasoline, provided that in the use of electricity no overhead wires, tracks or poles are used.

7. Howard Hodgkins shall commence to operate the Local Lines Bus Works within thirty days after this Agreement shall have been executed by the Corporation.

8. The Corporation shall keep the streets reasonably open and unobstructed so as not to hinder transportation. The execution of all work of construction or maintenance of any part of the City streets, including the removal of snow and ice, shall be carried on at such times as to have the work performed without any unnecessary interference with systematic and unnecessary interruption with public transportation over the streets, so far as the City equipment will permit.

9. Stratford Coach Lines shall adopt and use modern Rolling Stock, equipment and appliances which shall be maintained in first class condition and shall be suitable for the purposes for which same is intended to be used.

10. Stratford Coach Lines shall maintain a good bus service, as warranted by the requirements of the Corporation from time to time, during the term of the said franchise and any renewal thereof over fixed routes in the Corporation with fixed stopping and starting places and on a published schedule.

11. Howard Hodgkins or/and Stratford Coach Lines shall at all times by a reasonable insurance system keep the insurable portions of the Local Bus Lines Works insured against property damage and public liability as required by law.

12. The Corporation to the extent that it can legally do so hereby grants to Howard Hodgkins for the period of ten years from the time this franchise shall become effective, a fixed assessment of \$3,000.00 upon and to cover all the business and income and real and personal property and improvements thereon comprising the local Bus Lines Works and including one gasoline station, and to cover such lands and premises not to exceed a purchase price of \$5,000.00 as shall be purchased by Howard Hodgkins for office, storage and repair garage; but this clause shall not apply to a dwelling house acquired or purchased by Howard Hodgkins and used separate from the business of Howard Hodgkins or Stratford Coach Lines.

13. The following Fares Schedule shall apply to the operation of the Local Bus Lines under this Agreement, subject to the provisions of this Section. The Fare Zone shall be Stratford within its present boundaries; when it is warranted, and subject to the regulations of the Department of Highways, the Fare Zone shall extend to the Municipal Airport.

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<u>Adults</u>	<u>Children 51 Inches in Height and Under Occupying Seats</u>	<u>School Children</u>
Item A.—10c.cash, 4 tickets for 25c.	5c. cash or 2 for 5c.....	5c. cash or 6 tickets 25c.
Item B.—10c. cash 6 tickets for 50c.	5c. cash or 2 for 5c.....	5c. cash.

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Nothing herein contained shall prevent Howard Hodgkins from making special rates for special or chartered buses, or other special or excursion service, which the Bus Company shall have the right to do, provided that the Local Line service is not affected thereby.

The rates of fare for children set forth herein shall apply to any child fifty-one inches in height or less. No child other than an infant child in arms shall be carried free.

*Bona fide* pupils under sixteen years of age in regular attendance at some school situate within the City shall be carried on the Local Bus Lines at the rate of fare for "School Children" mentioned in the Fares Schedule, upon presentation of School Children's tickets to be provided and purchased at the Bus Company Office by children exhibiting identification certificates signed by the Principal or Head Teacher of the School showing such children to be entitled to such rates.

"School Children's Tickets" shall be accepted for transportation of those entitled at all times.

The coach driver may before accepting a "School Children's Ticket" for transportation require the person presenting the same to produce his or her identification certificate and on failure to produce the same may require such person to pay the fare at the rate then in force for adults.

Payment of fare either in cash or by ticket shall entitle a passenger by single continuous journey over the most direct route to travel from any point within a fare zone to any other point in the same Fare Zone and for the purpose of making such journey the passenger shall be entitled to transfer from one route to one or more other routes of Stratford Coach Lines as may be necessary to reach the destination without payment of further or additional fares. The Fare Zone shall be as set forth in this Section, or as the same may from time to time hereafter be varied hereunder by agreement between the Corporation and Howard Hodgkins and/or Stratford Coach Lines, or failing such agreement as may be approved by arbitrators.

Howard Hodgkins and/or the Stratford Coach Lines may from time to time make Rules and Regulations governing the conduct of passengers on the Local Bus Lines, the payment of fares, use of fare tickets, transfers and transfer tickets. Rules and Regulations made hereunder form part of this agreement as if the same, actually had been incorporated herein.

Whenever the Gross Receipts, Item A. of the Fares Schedule being in force, shall be insufficient to provide for Operating Expenses, depreciation and wages at current rates, Howard Hodgkins, or Stratford Coach Lines may, with the sanction of the Corporation, substitute for the Fares Schedules an item or items of fares higher in amount than said Item A. Such substituted Items of Fare shall forthwith be added to the Fares Schedules and form part thereof as Item B.

Policemen and Firemen in the employment of the Corporation when on duty and in uniform shall be carried by the buses on its Local Lines without charge and the Bus Company may carry without charge its own officers and employees and others engaged by the Bus Company and those entitled by Statute to free transportation.

14. Upon the coming into effect of this agreement Item "A" of the Fares Schedule shall apply and come into force and shall continue to apply and be in force, and thereafter until, under the provisions hereof, some other item of the Fares Schedule comes into force and in any event until the 31st day of December, 1931.

15. On the expiration hereof a new exclusive franchise for the further period of five years shall be and is hereby granted to the said Howard Hodgkins subject, however, to this proviso that the Corporation may grant such franchise to any other person, firm or corporation after the expiration of the present ten year term provided that all the assets and equipment, real and personal, of Stratford Coach Lines is purchased and a proper allowance for goodwill and development of the bus business allowed and paid forthwith to Stratford Coach Lines by such person, firm or corporation. The Corporation doth hereby covenant that it will not grant a new franchise to any other person, firm or corporation after the expiration of this ten-year franchise and prior to the expiration of a further five-year term until production is made to the corporation of written evidence of satisfaction signed by Stratford Coach Lines of Howard Hodgkins.

16. Provided Howard Hodgkins shall fail to exercise the option referred to in Clause 15 hereof, the Corporation may acquire and purchase all the assets and equipment, real and personal, of Stratford Coach Lines, and shall include in such purchase price a fair amount for goodwill and business development, and should any dispute arise as to the proper price to be paid therefor the same shall be referred to arbitration.

17. For the purpose of this Agreement the Corporation shall act by the Municipal Council thereof. The Corporation shall from time to time pass such By-laws and Resolutions, take such action and do such things as may be reasonably necessary for the purpose of fully effectuating the objects and intents of this Agreement. When the Corporation shall have obtained the necessary legislative enactment and vote of electors the said Howard Hodgkins doth agree to pay to the Corporation one-half the total cost thereof, provided that should Howard Hodgkins require a by-law approving this agreement to be submitted to a special vote of the electors, Howard Hodgkins agrees to pay one-half the total cost of securing any necessary legislative enactment, (no unnecessary expense to be incurred in obtaining same) and shall in addition thereto assume and pay the whole cost of securing the vote of the electors. If however, vote is taken at annual Municipal Elections there shall be no expense chargeable to Stratford Coach Lines.

18. Howard Hodgkins or Stratford Coach Lines and the Corporation covenant and agree each with the other:

(a) To carry out the provisions of this Agreement on the part of each to be carried out.

(b) To co-operate by all means in the power of each of them at all times to create the most favourable conditions for the carrying out of the objects of this Agreement and all or any By-laws pertaining thereto.

(c) To apply to the Legislative Assembly of the Province of Ontario for such powers as will enable the Corporation to do, perform and carry out each and every of the agreements and covenants on its part to be done, performed or carried out.

19. In case any disagreement or dispute shall arise under or out of this Agreement the same shall be referred to arbitrators.

20. If the Gross Receipts, under the conditions provided for in this Agreement, shall be insufficient to provide for the Operating Expenses, and depreciation for any period in excess of three years, Howard Hodgkins or Stratford Coach Lines shall have the right to abandon this Agreement upon two months' notice to the Corporation. Any notice to be given under any of the provisions hereof may be effectually given to the Corporation by delivery of the same to the City Clerk, or in his absence to some adult person in his office, or to the said Howard Hodgkins or Stratford Coach Lines by delivering the same to its Superintendent, or in his absence to some adult person in the office of the Stratford Coach Lines at the City of Stratford. Any such notice may also be effectually given by depositing the same in one of His Majesty's Post Offices, addressed, if to the Corporation to "The City Clerk of Stratford," at Stratford, Ontario, or if to Howard Hodgkins or Stratford Coach Lines, to the "Manager" of Stratford Coach Lines at Stratford, Ontario. If by Registered Letter as aforesaid the notice shall be deemed to have been given on the day of the posting thereof.

21. The said Corporation of the City of Stratford hereby permits, during the term of this franchise, the said Howard Hodgkins and/or Stratford Coach Lines to place the usual "Coach Stop" signs and other signs along the route as they may deem advisable.

22. The Corporation agrees to furnish and mark out all necessary junction places as may from time to time be required by Howard Hodgkins and as may be mutually agreed upon between the parties hereto.

23. The covenants herein contained are declared not to be severable.

This Agreement shall be binding upon and enure to the benefit of the parties hereto, their heirs, executors, administrators, successors and assigns, and is binding upon the Corporation only to the extent to which the Corporation may legally bind itself to the covenants herein contained.

In witness whereof the parties hereto have hereunto affixed their seals, the said Corporation affixing its Corporate Seal attested by the hands of its Mayor and Clerk.

SIGNED, SEALED AND DELIVERED

In the presence of:

THE CORPORATION OF THE CITY OF  
STRATFORD.

*(Seal of Corporation of the  
City of Stratford)*

"J. A. ANDREW," Mayor.

"W. H. DORLAND," Clerk.

"S. H. FLEMING" as to signature  
of Howard Hodgkins.

"HOWARD HODGKINS."

## CHAPTER 100.

An Act to incorporate the City of Stratford  
Municipal Benefit Fund.

*Assented to 3rd April, 1930.*

**W**HEREAS Alfred Stephen Kappele, Charles Edward <sup>Preamble.</sup> Moore, George Irvin Graff, Leon Joseph Long, Joe Laycock Broadley, Andrew Thomas Parker, Cecil Wright, Walter Herbert Gregory and Herbert Denroche by their petition have represented that "The City of Stratford Municipal Benefit Fund" was established under the supposed authority of paragraph 12 of section 406, of *The Consolidated Municipal Act, 1922*, by by-law number 2736 of the council <sup>1922, c. 72.</sup> of the corporation of the city of Stratford, subject to the rules and regulations set forth in the appendix to the said by-law; and whereas pursuant to the said rules and regulations the said fund was directed to be under the control and management of a committee to be called the "City of Stratford Municipal Benefit Fund Committee"; and whereas the said rules and regulations provide that the said committee shall consist of the mayor, the chairmen of numbers 1 and 3 committees of the city council, the chief of the fire department, the chief of police, the treasurer and secretary of the fund, and one other representative from the fire and police departments, to be elected as therein provided; and whereas the petitioners are the present members of "The City of Stratford Municipal Benefit Fund Committee"; and whereas in and by said by-law number 2736 it is provided "that by way of grant in aiding the establishment and maintenance of the said "The City of Stratford Municipal Benefit Fund" the corporation of the city of Stratford shall forthwith, upon the passing of this by-law, pay into the said fund the sum of three thousand (\$3,000) dollars, and shall annually on the first day of July in each year pay into the said fund a sum of money equivalent to the estimated assessment upon the members of the fund for the then current year, and in addition thereto, the said corporation shall pay into the said fund a further sum of one thousand (\$1,000) dollars in each year up to and including the year 1931"; and whereas under the provisions of the rules and regulations set forth in the appendix to said by-law number 2736, the following employees of the city of Stratford and no

Rev. Stat.  
c. 222.

others are declared to be eligible for members of the fund, namely:—All officers and members of the city fire and police departments; all other salaried officials and employees of the city, and such members or employees of the city engineer's department as the city engineer or the chairman of the board of works shall certify as being eligible to become a member; and whereas doubts have arisen as to the authority of the said fund to effect contracts of insurance with its members and to grant mortuary and other benefits within the meaning of *The Insurance Act*; and to remove such doubts it is desirable that the said by-law number 2736 and the rules and regulations set forth in the appendix thereto be confirmed, subject to the provisions in this Act contained, and that the said fund should be incorporated under the name "The City of Stratford Municipal Benefit Fund," and that the said fund should be authorized to undertake any contract of insurance for which a fraternal society may be licensed under the provisions of *The Insurance Act* and to make such readjustments in its rates and benefits as are necessary to enable it to meet its contracts as they mature, and that all contracts of insurance heretofore undertaken or effected by the fund and all mortuary and other benefits heretofore granted by the fund, should be confirmed; and whereas the said petitioners have by their petition prayed that an Act may be passed for such purposes; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title

1. This Act may be cited as *The City of Stratford Municipal Benefit Fund Act, 1930*.

By-law  
No. 2736.  
confirmed.

2. Subject to the provisions of this Act, by-law number 2736 of the corporation of the city of Stratford and the rules and regulations made thereunder, as set out in schedule "A" hereto, are hereby confirmed and declared to be legal, valid and binding.

Incorporation of Fund  
as Fraternal  
Society.

3. "The City of Stratford Municipal Benefit Fund" established under the provisions of by-law number 2736 of the corporation of the city of Stratford is hereby incorporated as a fraternal society within the meaning of *The Insurance Act* under the name "The City of Stratford Municipal Benefit Fund."

Rev. Stat.  
c. 222.

Contracts of  
insurance  
already  
undertaken.  
confirmed.

4. The said fund shall have authority and shall be deemed to have had since the passing of the said by-law authority to undertake any contract of insurance for which a fraternal

society may be licensed under the provisions of *The Insurance Act*, and is hereby declared entitled to be licensed as a fraternal society under the said Act, and all such contracts of insurance heretofore undertaken or effected and all mortuary or other benefits heretofore granted by the fund are hereby confirmed.

5. The governing executive authority of the fund may by amendment to the constitution, rules and regulations of the fund, and, with the approval of the Superintendent of Insurance, make such readjustments of the rates and benefits as are necessary in the opinion of the actuary of the fund to provide for the payment of the contracts of the fund at maturity, and such amendments shall be binding upon the members of the fund and upon their beneficiaries or legal representatives and upon all persons deriving legal rights from any member or beneficiary, notwithstanding anything contained in the constitution, rules and regulations of the fund before such amendments, or in any contract, policy or certificate of insurance heretofore or hereafter issued by the fund.

6. Except where inconsistent with the provisions of this Act, the provisions of *The Insurance Act* and *The Companies Act* applicable to a fraternal society, the membership of which is limited by its constitution and by-laws to municipal employees, shall apply to the fund.

7. This Act shall come into force on the day upon which it receives the Royal Assent.



## SCHEDULE "A."

## BY-LAW NO. 2736 OF THE CITY OF STRATFORD.

A BY-LAW granting aid for the Establishment and maintenance of the "CITY OF STRATFORD MUNICIPAL BENEFIT FUND."

Whereas it is expedient to grant aid for the establishment and maintenance of a superannuation and benefit fund for the members of the Police Force and of the Fire Brigade of the City of Stratford and of other officers and employees of the said Corporation and of their wives and families.

Be it therefore enacted by the Municipal Council of the Corporation of the City of Stratford as follows:—

1. That a Superannuation and benefit fund shall be created and established to be known and designated as the "CITY OF STRATFORD MUNICIPAL BENEFIT FUND" for the members of the Police Force and of the Fire Brigade of the City of Stratford and of other officers and employees of the Corporation and of their wives and families, subject to and in accordance with the Rules and Regulations therefore set forth in the Appendix of this By-law marked Appendix "A."

2. That by way of grant in aiding the establishment and maintenance of the said "CITY OF STRATFORD MUNICIPAL BENEFIT FUND" the Corporation of the City of Stratford shall forthwith upon the passing of this By-law pay into the said fund the sum of Three Thousand Dollars, and shall annually on the First day of July in each year pay into the said fund a sum of money equivalent to the estimated assessment upon the members of the fund for the then current year, and in addition thereto the said Corporation shall pay into the said fund a further sum of One Thousand Dollars in each year up to and including the year 1931.

3. This By-law shall go into force and take effect from and after the passing thereof.

Passed this 4th day of August, A.D. 1922.

W. H. GREGORY,  
Mayor.  
W. H. DORLAND,  
Clerk.

## APPENDIX "A."

## CITY OF STRATFORD MUNICIPAL BENEFIT FUND.

*Rules and Regulations.*

1. In these rules,—

- (a) "Fund" shall mean "City of Stratford Municipal Benefit Fund."
- (b) "Committee" shall mean "City of Stratford Municipal Benefit Fund Committee."

2. The Municipal Council of the Corporation of the City of Stratford hereby create and establish a fund to be known and designated as "City of Stratford Municipal Benefit Fund."

3. The following employees of the City of Stratford, and no others shall be eligible for members of the Fund, namely: all officers and members of the City Fire and Police Departments; all other salaried officials and

employees



employees of the City, and such members or employees of the City Engineer's Department as the City Engineer or the Chairman of the Board of Works shall certify as being eligible to become a member.

4. It shall be compulsory for all Firemen and Policemen and all other eligible employees under forty years of age, hereafter appointed, to become members of the Fund, upon passing the necessary physical examination, but membership in the Fund shall be optional with all present City Employees; Provided that all City employees who are eligible for membership in the Fund shall have one year from the inauguration of the Fund or from the Commencement of their services with the City in which to become members, except with special permission of the Committee.

5. The members of the Fund shall contribute to it 5% annually of the amounts of their several salaries, payable in equal half-monthly instalments, each instalment to be deducted from the member's half-monthly pay by the City Treasurer and immediately paid into the Fund.

(a) Provided that Call Firemen who are members of the Fund shall contribute to it  $2\frac{1}{2}\%$  annually based on the salary of a first class fireman payable as above set out and shall be entitled to share in all the benefits of the Fund by reason of accident or disability sustained by such Call Firemen in the discharge of their duty as such and to be rated as first class firemen, but not to share in the pension by reason of length of service.

6. The City of Stratford shall at this time pay into the Fund the sum of \$3,000.00 and shall annually on the 1st day of July pay into the Fund a sum of money equivalent to the estimated assessments upon the members of the Fund for the then current year and in addition thereto the City shall pay into the Fund a further sum of \$1,000.00 in cash in each of the years to and including the year 1931.

7. The Fund shall be under the management and control of a Committee to be called the "City of Stratford Municipal Benefit Fund Committee."

8. The Committee shall consist of the Mayor, the Chairman of numbers 1 and 3 Committees of the City Council, the Chief of the Fire Department, the Chief of Police, the Treasurer and Secretary of the Fund, and one other representative from the Fire and Police Departments, to be elected as set out in the next clause hereof.

9. During the month of August, 1922, and hereafter annually on the first Monday of June the Chiefs of the Fire and Police Departments shall each convene a meeting of the members of the Fund within their respective Departments for the nomination of a representative upon said Committee.

(a) Notice of such meeting shall be posted up on the Notice Board seven days prior to the date thereof.

(b) Such meeting shall open at 5.30 p.m. and close at 6.30 p.m.

(c) Nominations may be oral or in writing and one nominator only shall be required.

(d) Immediately after the close of the nomination meeting the Chief shall post up a list of nominees.

(e) Nominees may withdraw in writing 24 hours after the close of the meeting.

(f) In the event of the representative not being elected by acclamation the Chief shall have ballots prepared and shall conduct a secret poll on the second day after nomination day and such poll shall be open between the hours of 5 p.m. and 7 p.m.

(g)

- (g) The ballots shall then be counted in the presence of any members of the Fund who desire to be present.
- (h) A certificate from the Chief countersigned by any other two members of the Fund shall be conclusive evidence of the result of such election.

10. The Committee shall meet for the transaction of business at five o'clock p.m. on the second Monday of each month at the Fire Hall or such other place as the Committee may decide.

11. The Officers of the Committee shall be a chairman, a secretary and a treasurer to be elected at the organization meeting of the Committee and thereafter annually at the regular meeting in July of each year.

12. The secretary shall be a member of the Fund.

13. A majority of the Committee shall form a quorum for the transaction of business.

14. The moneys belonging to the Fund shall be deposited to the credit of the Fund in a Chartered Bank and so far as possible shall be kept invested in securities authorized by law for trust funds, all such securities to be kept in a safety deposit box in such Bank.

15. Payments out of the Fund shall be first approved by the Committee and shall be made by warrant drawn upon the Treasurer, signed by the chairman and secretary and accepted by the treasurer.

16. Every application for a pension, allowance or aid must come before the Committee and shall be allowed only by a two-thirds vote of the membership of the Committee.

17. The committee shall keep correct minutes of its proceedings and shall have its accounts audited by the City auditors who shall report thereon to the City Council.

18. The secretary shall keep a roll of all members of the Fund showing all particulars of service, salary, age and description, and shall also keep a correct pension list which shall set forth all amounts paid out of the Fund by way of any pension, allowance or aid to the members of the Fund or their dependents.

19. In estimating the length of service, members shall be entitled to credit for one-half of their service up to the time at which they shall become members.

20. In the case of voluntary resignation or dismissal for cause of any member all payments made by him to the Fund less any amount he may be in default to the City shall be returned without interest one year from the date of his leaving the service, the question of cause for dismissal to rest entirely with the City Council, or in the case of a member of the Police Department with the Board of Police Commissioners.

21. A member who has been fifteen years in the service of the City and who has attained the age of sixty years on or before the date of his retirement from such service shall on retiring be entitled to a pension on the basis of 1-60th of his salary at time of retirement for each year of service but the maximum pension shall in no case exceed one-half of the salary of such member.

22. A member whose term of service has been under twenty-five years shall not be entitled to a pension for a longer period than his term of service.

23. A pension granted to a member whose term of service has reached twenty-five years shall be for life.

24. Upon the death of a member who at the time of his death has not completed fifteen years of service, all payments made by him to the

fund with interest computed half-yearly at the rate of 4% per annum, shall be paid to his widow, his children or his dependent parent, as the Committee shall direct.

25. Upon the death of a member who at the time of his death has completed fifteen years of service or is in receipt of a pension, his widow or his children or dependent parent shall be entitled to receive one-half the pension to which the member would be entitled based on his years of service but such pension shall not in any case exceed the number of years service of such member and the period for which the deceased member shall have been in receipt of his pension shall be deducted from his term of service in computing the period during which payment is to be made to his dependents.

26. In the event of remarriage of a widow in receipt of a pension, the pension shall cease.

27. The widow of a pensioner who shall have been married to him after he became a pensioner shall not be entitled to any allowance.

28. Children of a deceased member shall cease to receive any pension upon attaining the age of eighteen years.

29. The decision of the Committee shall be final and binding in the allotment or distribution of any pension to or among the dependents of a deceased member.

30. In the event of a pensioned member taking other employment, the permission of the Committee must be obtained or his pension will be forfeited.

31. Any member worn out in the service of the City shall be entitled to the return of his payments to the Fund and—

- (a) If he has served under 10 years he shall receive an allowance of 10 days' pay for each year's service completed.
- (b) If he has served over 10 years and under 15 years he shall receive an allowance of 20 days' pay for each year's service completed.
- (c) If he has served over 15 years and up to 20 years he shall receive an allowance of one month's pay for each year's service completed.
- (d) If he has served over 20 years and up to 25 years he shall receive a pension for life of three-eighths of his pay at time of retirement, but shall not be entitled to the return of his payments to the Fund.
- (e) After 25 years' service (even though under 60 years of age) he shall receive a pension of one-half pay for life, but shall not be entitled to the return of his payments to the Fund.

32. The allowance to be paid in the case of injuries received in the execution of duty wholly incapacitating a member of the Fund who is a member of either the Fire or Police Departments from performing his duties in connection with such Department, but not from other employment shall be one-half that payable under clause numbered 31 hereof.

33. Any member who may be so injured in the lawful performance of duty as to be permanently incapacitated for any employment or work whatsoever shall be paid a pension of half-pay for life.

34. If a member is killed in the discharge of his duty or dies from injuries received in the execution of his duty the same pension shall be payable to his widow, his children or dependent parent as would be payable under the terms of clause numbered 25 hereof and the period of service of such member shall be computed at 25 years.

35. The City's physician shall examine all men appointed to the Fire and Police Departments and shall attend all sick members as part of his duties.

36. Applicants for membership in the Fund shall sign a written application Form A and a direction to the City Treasurer, Form B.

37. All men hereafter appointed to the Fire and Police Departments in addition to complying with the rules governing those Departments shall furnish the Committee with a certificate from the City Physician, Form C.

38. Applicants for membership in the Fund who are not members of the Fire or Police Departments shall furnish the Committee with a certificate from the City Physician, Form D.

39. In all cases where a member has been reported as physically or mentally unfit for further service, or where a member claims the right to retire from service on any of the grounds specified, the Committee shall appoint a Medical Board to enquire into such case, who shall report to the Committee. The Board shall be composed as follows:—The Committee shall appoint a physician whose fee shall be paid from the Fund; the member interested may appoint a second physician and shall pay his fee and the City Council may appoint a third, whose fee shall be paid by the City.

40. Any member who has been allowed a pension on the ground of ill health or disability from injury before the age of sixty shall in January of each year furnish to the Committee a certificate of his state of health signed by a physician approved by the Committee, and in the event of his health being re-established he shall be liable to re-enter the service of the City, whereupon the pension shall cease and the member shall resume his contributions to the Fund.

41. The Committee may from time to time by two-thirds vote of the members make any further rules or regulations respecting the administration of the Fund not inconsistent herewith.

42. No dispute, claim, objection or question whatever between the Committee and any member of the Fund, or any former member thereof or any pensioner, or widow, child or parent or other representative of a deceased member, former member, pensioner, widow, child, parent, or other representative shall on any pretext be made the subject of litigation in any Court whatsoever unless after written submission thereof to the friendly arbitration and decision of the City Council and express refusal of such Council to accept the same and decide thereof, and, upon every such submission the Council or such Committee thereof as it shall empower shall have the fullest power to decide as to such dispute, claim, objection or question, irrespectively of all manner of formality of procedure and its decision certified under the hand of the Mayor and City Clerk, shall be absolutely final and conclusive, notwithstanding any defect of form or irregularity of procedure as touching the same whatsoever.

43. The City Council may from time to time make additions, alterations or amendments to these rules and regulations upon the request of the Committee by a two-thirds vote of the members of such Committee.

44. It shall be lawful for the Committee to enter into an Agreement with the Public Utility Commission for the admission to the Fund of the employees of such Commission upon such terms as the Committee shall decide with the approval of the City Council and such agreement may provide for the election or appointment of one or more representative or representatives from such Commission or its employees to be members of the Committee.

*Form A.*

## CITY OF STRATFORD MUNICIPAL BENEFIT FUND

## APPLICATION FOR MEMBERSHIP

I hereby apply to become a member of City of Stratford Municipal Benefit Fund.

1. My full name is.....
2. Address.....
3. Place of birth.....
4. Date of birth.....
5. Date of entering City's service.....
6. Particulars of service.....
7. Present position.....
8. Present salary.....
9. Particulars of former illness or injury.....

I declare that the above answers are true and that to the best of my knowledge, information and belief my health is good, my mind sound and my habits temperate; that I usually enjoy good health and do not practise any habit tending to impair my health or shorten my life.

I also agree to be bound by the Rules and Regulations of the Fund and amendments which may be properly made thereto.

DATED at Stratford this.....day of....., 19....

Signature of applicant.....

WITNESS:

I certify that the above answers are correct to the best of my knowledge.

.....  
Chief of.....Dept.

*Form B.*

## CITY OF STRATFORD MUNICIPAL BENEFIT FUND

TO THE CITY TREASURER:—

I hereby request you to deduct 5% of my annual salary received from the City of Stratford and to pay the same half-monthly to the Treasurer of the City of Stratford Municipal Benefit Fund Committee.

Stratford, .....19.....

Witness

.....  
Member of.....Dept.

*Form C.*

## CITY OF STRATFORD MUNICIPAL BENEFIT FUND

Stratford.....19.....

To the City of Stratford Municipal Benefit Fund Committee:—

I certify that I have this day examined.....  
and find him physically fit and apparently mentally sound and in my opinion capable of performing the duties of a City..... I also certify that I have examined his medical history and in my opinion he is a proper person to be granted membership in City of Stratford Municipal Benefit Fund.

.....  
Committee's Physician.

*Form*

*Form D.*

## CITY OF STRATFORD MUNICIPAL BENEFIT FUND

Stratford, .....19.....

To the City of Stratford Municipal Benefit Fund Committee

I certify that I have this day examined.....  
and in my opinion he is physically and mentally a proper person to be  
granted membership in City of Stratford Municipal Benefit Fund.

.....  
*Committee's Physician.*

## CHAPTER 101.

## An Act respecting the Town of Sudbury.

*Assented to 3rd April, 1930.*

**W**HEREAS the municipal corporation of the town of Preamble.  
Sudbury has by its petition represented that it is  
desirable that certain by-laws, specified in schedule "A"  
hereto, and the debentures issued or to be issued thereunder,  
should be validated and confirmed; and whereas the said  
corporation has by its petition prayed that an Act may be  
passed for the above purpose; and whereas no opposition has  
been offered to the said petition; and whereas it is expedient  
to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario,  
enacts as follows:

1. This Act may be cited as *The Town of Sudbury Act, 1930*. Short title.
2. The by-laws specified in schedule "A" hereto and all  
debentures issued or to be issued thereunder are confirmed Confirma-  
tion of by-  
laws and  
debentures.  
and declared to be legal, valid and binding upon the said  
corporation and the ratepayers thereof.
3. This Act shall come into force on the day upon which it Commence-  
ment of  
Act.  
receives the Royal Assent.

## SCHEDULE "A."

No. By-law	Date of Passing By-law	Nature of Work under By-law	Amount Debt Created	Amount Payable by Town	Amount Payable by Ratepayers	Period of Payment	Rate of Interest
1197	Jan. 28th, 1930	A By-law to provide for borrowing \$16,000.00 upon debentures for the purpose of paying for equipment for the waterworks system of the Town of Sudbury.	\$16,000 00	\$16,000 00	.....	20 years	5%
1198	Jan. 28th, 1930	A By-law to provide for borrowing \$65,000.00 upon debentures for the purpose of paying for the construction of extensions to the electric light system of the Town of Sudbury.	\$65,000 00	\$65,000 00	.....	20 years	5%
1199	Feb. 6th, 1930	A By-law to provide for borrowing \$16,954.00 upon debentures to pay for the construction of the storm sewers as therein set forth.	\$16,954 00	\$5,858 42	\$11,095 58	10 years	5%
1200	Feb. 6th, 1930	A By-law to provide for borrowing \$24,550.00 upon debentures to pay for the construction of the concrete walks as therein set forth.	\$24,550 00	\$3,038 50	\$21,511 50	10 years	5%
1201	Feb. 6th, 1930	A By-law to provide for borrowing \$4,044.00 upon debentures to pay for the construction of the waterworks extensions as therein set forth.	\$4,044 00	\$277 50	\$3,766 50	10 years	5%
1202	Feb. 6th, 1930	A By-law to provide for borrowing \$56,536.00 upon debentures to pay for the construction of the watermain extensions as therein set forth.	\$56,536 00	\$18,373 24	\$38,162 76	20 years	5%
1203	Feb. 6th, 1930	A By-law to provide for borrowing \$99,253.00 upon debentures to pay for the construction of the bitulithic pavements as therein set forth.	\$99,253 00	\$26,945 51	\$72,307 49	20 years	5%
1204	Feb. 6th, 1930	A By-law to provide for borrowing \$33,405.00 upon debentures to pay for the construction of the sanitary sewers as therein set forth.	\$33,405 00	\$5,726 08	\$27,678 92	20 years	5%



## CHAPTER 102.

## An Act to incorporate the City of Sudbury.

*Assented to 3rd April, 1930.*

**W**HEREAS the corporation of the town of Sudbury has, Preamble.  
by petition represented that the said town of Sudbury  
has now a population of over twenty thousand; and whereas a  
large number of citizens of the town of Sudbury and the board  
of trade have urged upon the council that it is desirable to  
have the town erected into a city; and whereas the said  
corporation has by its petition prayed that an Act may be  
passed for that purpose; and whereas it is expedient to grant  
the prayer of the said petition;

Therefore, His Majesty, by and with the advice and  
consent of the Legislative Assembly of the Province of  
Ontario, enacts as follows:—

1. This Act may be cited as *The City of Sudbury Act, 1930*. Short title.
2. On and after the twenty-eighth day of July, 1930, the Incor-  
town of Sudbury shall be and is hereby incorporated as a city poration.  
and shall be known as "The Corporation of the City of  
Sudbury," and as such shall enjoy and possess all the rights,  
powers and privileges of a city erected under the provisions  
of *The Municipal Act*. Rev. Stat.,  
c. 233.
3. The council of the said city of Sudbury shall consist of Composition  
of council.  
the mayor, who shall be the head thereof, and three aldermen  
for each of the three wards subject, however, to the number  
of aldermen being changed under the provisions of *The  
Municipal Act*. Provided, that the present mayor and Proviso.  
council of the said town shall be the mayor and council of the  
said city during the year 1930 and until their successors are  
elected and organized as the council of the city as provided by  
*The Municipal Act*, and shall exercise all the rights and Rev. Stat.,  
c. 233.  
powers and perform all the duties pertaining to the office of  
mayor and aldermen respectively of a city, and in the event  
of the death or resignation or disqualification of the mayor or  
any member of the said council, the vacancy shall be filled  
in the manner provided by *The Municipal Act*.

City to  
stand in  
place of  
town.

4. The city of Sudbury shall in all matters whatsoever stand and be in the place and stead of the town of Sudbury, and all property of every kind and all rights and interests, assets and effects, taxes, rates, dues, revenues, contracts, obligations and income now belonging to or accruing due to, or which may be assessed for, by the said town, shall pass and belong to and be the rights, property, interests, assets, effects, taxes, revenues, contracts and obligations of the city of Sudbury, and the city of Sudbury shall have as full power in its name to assess for, demand, collect, sue for and receive the same as the said town could have and the said city shall assume and hereby assumes all bills, debts, debentures and liabilities of any and every kind now due, or contracted or accruing due, or for which the said town, but for the passing of this Act, would be liable, and the same shall and may be collected and sued for, from and against the city of Sudbury in precisely the same manner except in the change of the name as against the town of Sudbury, and all acts, matters and things whatsoever, which might lawfully be done by the town of Sudbury shall and may be done by the city of Sudbury, and all matters begun or initiated by the said town may be completed by the said city, the meaning and intention hereof being that in all matters and things the said city shall be and stand in the place of the said town.

Officers and  
servants.

5. The officers and servants of the said town shall, until superseded in or moved from office by the council of the said city, remain the officers and servants of the said city, and the bonds now held by the town of Sudbury, for the faithful performance of their duties, shall continue to be in force against them and their sureties in favour of the said city to the same extent as they are now liable to the town.

Application  
of provisions  
of Rev. Stat.,  
c. 233.

6. The provisions of *The Municipal Act* relating to matters consequent on the formation of new municipal corporations and all the other provisions of the said Act shall, except so far as is herein otherwise provided, apply to the corporation of the said city of Sudbury in the same manner as if the said town of Sudbury had been erected into a city under the provisions of the said Act.

To form part  
of District  
of Sudbury  
for judicial  
purposes.

7. The city of Sudbury shall be, remain and form part of the district of Sudbury for judicial purposes.

## CHAPTER 103.

## An Act respecting the Township of Teck.

*Assented to 3rd April, 1930.*

**W**HEREAS the corporation of the township of Teck has Preamble.  
by its petition represented that it has constructed a waterworks system in that part of the township of Teck commonly called the townsite of Swastika; that plans and specifications of the said work were submitted to the Department of Health and the same were duly approved by such Department pursuant to *The Public Health Act*; that the said township proposes to borrow moneys required to defray the cost of the said works estimated at \$51,439.15 by the issue of debentures on the instalment plan payable within twenty years and bearing interest at six per cent. per annum, payable yearly, and that the said township deems it proper that the rates for repayment of the aforesaid borrowing shall be levied on the assessable property and income of that part of the township of Teck situate within the limits of union school section number one, townships of Teck and Otto, as at present constituted, which alone shall be benefited by the said works, but that all moneys so borrowed and interest thereon shall be borrowed on the credit of the corporation at large and have passed by-law number 413 providing for the said work and the said debentures and for raising the moneys required to pay the said debentures; and whereas the said corporation has by its petition prayed that an Act may be passed to validate and confirm the said by-law; and whereas the municipal council of the township of Teck in the year 1929, did undertake with the approval of the Department of Northern Development the improvement and paving of that part of a road within the said township known as Government Road, and extending from the property of the Kirkland Lake Gold Mining Company Limited through the townsite of Kirkland Lake to the intersection of Government Road and Station Road; and whereas the said township proposes to borrow moneys required to defray the municipality's portion of the cost of the said work estimated at \$42,000; and whereas it is expedient to grant the prayer of the said petition. Rev. Stat., c. 262.

Therefore, His Majesty, by and with the advice and  
consent

consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The Township of Teck Act, 1930.*

By-law 43  
(waterworks  
mains and  
pumping  
station)  
confirmed.

**2.** By-law number 413 of the corporation of the township of Teck, set out in schedule "A" to this Act, to authorize the issue of debentures for the sum of \$51,439.15 to provide for the construction of waterworks mains for fire and domestic purposes, and the waterworks pumping station, on certain streets and roads in the township of Teck, and all debentures issued or to be issued thereunder, are hereby validated and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Special rate  
to meet de-  
ficiencies.

**3.** If in any year the amount realized from the special rate levied is insufficient to pay the annual instalments of principal and interest, the council shall provide for the deficiency in the estimate for the following year and levy and collect by general rate on all the rateable property in the municipality over and above all other rates an amount sufficient to provide for the annual payment due in that year and the deficiency, if any, of the previous year, but this shall not relieve the lands specially assessed from the special rate thereon.

Cost of ex-  
tensions.

**4.** The said corporation may without the assent of the electors borrow money by the issue of debentures payable within a period of twenty years from the issue thereof to provide for the cost of any further expenditure for any alterations or extensions of the water and sewage system approved by the Department of Health in that part of the township of Teck within the limits of union school section number one, townships of Teck and Otto, and may levy a special rate over and above all other rates in each year during the currency of the debentures issued to meet such cost on all the rateable property in that part of the township of Teck within the limits of union school section number one, townships of Teck and Otto, as at present constituted.

Power to  
borrow  
\$42,000 for  
township  
share of  
cost of  
paving  
Government  
Road.

**5.** The corporation of the township of Teck is hereby authorized and empowered to borrow upon debentures, without the assent of the electors, the sum of \$42,000, repayable in twenty equal annual instalments of principal and interest, to provide for the municipality's portion of the cost of the improvement and paving of that part of a road situate in the township of Teck, known as Government Road, and extending from the property of the Kirkland Lake Gold Mining Company Limited to the intersection of Government Road and Station Road, and for the purposes of meeting the

payments

payments thereof to levy a special rate over and above all other rates on all the rateable property in the township of Teck.

**6.** This Act shall come into force on the day upon which it receives the Royal Assent. Commence-  
ment of Act.

## SCHEDULE "A."

## THE MUNICIPAL CORPORATION OF THE TOWNSHIP OF TECK.

## BY-LAW No. 413.

Being a By-law for the borrowing of the sum of \$51,439.15 upon debentures for the construction of fire and domestic watermains, and water services within that part of the Township of Teck, lying within the limits of Union School Section No. 1, Township of Teck and Otto, within the Municipality.

And whereas the Department of Health of the Province of Ontario did under the authority of the Public Health Act, issue an Order dated the 5th day of March, 1929, authorizing the construction of fire and domestic watermains within that part of the Township of Teck lying within the limits of Union School Section No. 1, Townships of Teck and Otto, within the Municipality, on the following streets and roads, namely:—

Location	From	To
Boisvert Street	Lot 68-69	Cameron Avenue
Hays Street	West Avenue	Cameron Avenue
Cameron Avenue	Boisvert	Hays
Trunk Mains	Hays and Cameron	Fire Hall
Trunk Mains	Fire Hall	Bridge
Boxed Trunk Mains	S. End of Bridge	North
Government Road	N. End of Bridge	Lot 117
Government Road	Lot 117	Conroy
Government Road	Conroy	Kirkland
Conroy	Government Road	E. Boundary
Kirkland Avenue	Government Road	Riverside
Riverside Drive	Kirkland	Lots 39-11
Victoria	Riverside Drive	North
Across Lots	Kirkland	Grenfell
Grenfell Avenue	Lot 49	Lot 114
Supply Main	Grenfell	Pump House

Together with a waterworks pumping station, including two Centrifugal pumps each delivering 30 Imperial Gallons per minute, against a head of 150 feet, and direct connected to Three Phase, Sixty Cycle, 220 Volt Motors; 1 Type M.S.P.M. (Wallace & Tiernan) Chlorinator; 3-60 Mechanical Pressure Filters, with automatic coagulant feeder, each having a capacity of 2400 gallons per hour; 1 Centrifugal Fire pump, delivering 600 Imperial gallons per minute under a head of 300 feet, direct connected to an F.C. 4 Sterling Engine, and pumping untreated water into the fire mains from the Blanche Park. All at a total cost of Forty-four Thousand Five Hundred and Seventy Dollars and Twenty-one Cents (\$44,570.21). All according to the plans and specifications of Messrs. Sutcliffe Company, Limited, Consulting Engineers, New Liskeard, Ontario.

And whereas the Department of Health of the Province of Ontario did under the authority of the Public Health Act, issue an order dated the 12th day of February, 1929, authorizing the construction of water services within that part of the Township of Teck within the limits of Union School Section No. 1, Townships of Teck and Otto, within the Municipality, on the following streets and roads, namely:—

Location	From	To
Riverside Street	Kirkland Avenue	North Boundary
Victoria Avenue	Riverside Street	East Boundary
Grenfell Avenue	Riverside Street	East Boundary
Government Road	T. & N. O. Bridge	East Boundary
Conroy Avenue	Riverside Street	East Boundary
Kirkland Avenue	Riverside Street	East Boundary
Hays Street	T. & N. O. Bridge	Morrison Avenue
Cameron Avenue	Hays Street	Boisvert Street
Boisvert Street	Cameron Avenue	Maddan Avenue

at a total cost of Six Thousand Eight Hundred and Sixty-eight Dollars and Ninety-four cents (\$6,868.94).

And whereas the plans and specifications have been approved by the said Department of Health of the Province of Ontario.

And whereas the Municipal Corporation of the Township of Teck duly passed a By-law on the 15th day of April 1929, authorizing the construction of the said fire and domestic watermains and water services.

And whereas it is necessary to borrow for the purposes above mentioned the sum of \$51,439.15, on the credit of the Corporation at large.

And whereas it is deemed proper that the rates for repayment of the aforesaid money shall be levied on the assessable property and income on that portion of the Township of Teck which shall be benefited by the said works.

And whereas the amount of the whole rateable property of the Municipal Corporation according to the last revised assessment roll is \$2,234,984.00.

And whereas the amount of the debenture debt of the Municipality is \$704,188.47, and the Municipality is not in default on payment of either principal or interest.

Now therefore the Municipal Corporation of the Township of Teck, enacts as follows:—

1. For the purposes aforementioned there will be borrowed the sum of \$51,439.15, and debentures shall be issued therefor in sums of not less than \$100.00 bearing interest at the rate of six per cent. (6%) per annum and having coupons attached for the payment of interest.

2. The debentures shall all bear the same date and shall be issued within two years after the day on which this By-law is passed and may bear any date within such two years and shall be payable in twenty equal annual instalments of principal and interest during the twenty years next after the time when the same are issued and the respective amounts of principal and interest payable in each of such years shall be in accordance with the schedule hereto annexed and marked "A" which is hereby declared to be and form part of this By-law.

3. The debentures, as to both principal and interest shall be negotiable without charge at the Imperial Bank of Canada at Kirkland Lake, or at the Head Office of the Imperial Bank of Canada at Toronto.

4. The debentures shall be signed by the Reeve and Treasurer of the Township and shall be sealed with the Corporate Seal of the Municipality. The coupons shall be signed by the Treasurer of the Township of Teck and his name may be written, lithographed or engraved.

5. During the twenty years, the course of the said debentures, the sum of \$4,484.71 shall be raised annually for the payment of the debt and interest, and the said sum shall be levied and raised annually by separate rate therefor over and above all other rates, on that part of the rateable property and income of the Township of Teck, situate in Union School Section No. 1, Townships of Teck and Otto, as at present constituted, according to the last revised assessment roll, at the same time and in the same manner as other rates.

6. The debentures may contain a clause providing for the registration thereof, authorized by any statute relating to municipal debentures in force at the time of the issue thereof.

Read a first, second and third time and enacted and passed in open Council the 15th day of April, 1929.

(Sgd.) J. W. MCBAIN, *Clerk.*

(Sgd.) N. EVOY, *Reeve.*

## SCHEDULE "A."

No.	Principal	Interest	Total
1.....	\$1,398 35	\$3,086 36	\$4,484 71
2.....	1,482 25	3,002 46	4,484 71
3.....	1,571 19	2,913 52	4,484 71
4.....	1,665 46	2,819 25	4,484 71
5.....	1,765 39	2,719 32	4,484 71
6.....	1,871 31	2,613 40	4,484 71
7.....	1,983 59	2,501 12	4,484 71
8.....	2,102 60	2,382 10	4,484 70
9.....	2,228 76	2,255 94	4,484 70
10.....	2,362 48	2,122 21	4,484 69
11.....	2,504 23	1,980 46	4,484 69
12.....	2,654 47	1,830 21	4,484 68
13.....	2,813 76	1,670 94	4,484 70
14.....	2,982 58	1,502 11	4,484 69
15.....	3,161 54	1,323 16	4,484 70
16.....	3,351 23	1,133 47	4,484 70
17.....	3,552 30	932 40	4,484 70
18.....	3,765 44	719 26	4,484 70
19.....	3,991 37	493 33	4,484 70
20.....	4,230 85	253 85	4,484 70
	<u>\$51,439 15</u>	<u>\$38,254 86</u>	<u>\$89,694 02</u>



## CHAPTER 104.

## An Act respecting the Town of Thorold.

*Assented to 3rd April, 1930.*

**W**HEREAS the corporation of the town of Thorold has Preamble. incurred a floating indebtedness to the extent of Fifty-five thousand dollars (\$55,000) which has accumulated over a period of years and has been created in part by the expropriation of a large quantity of land in the said town by His Majesty the King for the Welland Ship Canal and consequent loss of taxes of over \$13,000 imposed on said lands and part by loss of taxes now uncollectible amounting to over \$21,000 and the balance by sundry expenditures not included in the yearly estimates over a period of years including *inter alia* repairs to the town hall and replacing of other town property after the riot of 1920, necessary repairs to the town property from time to time, purchase of police car and roadwork equipment, and installation of electrical fixtures and a new vault in the municipal building; and whereas the said corporation has by its petition represented that to pay off the said floating debt of \$55,000 now due and owing and to pay in addition thereto the ordinary annual expenditures would be unduly oppressive to the ratepayers of said town; and whereas the said corporation has prayed that the said floating debt of \$55,000 be consolidated and that the said corporation be authorized to borrow by the issue and sale of debentures sufficient money to discharge said floating debt; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Town of Thorold Act*, Short title. 1930.

2. The floating debt of the corporation of the town of Thorold is consolidated at the sum of Fifty-five thousand dollars (\$55,000) and the said corporation may borrow by a Floating Debt consolidated at \$55,000. special issue of debentures a sum not exceeding Fifty-five thousand dollars (\$55,000) for the purpose of paying the said floating debt.

Term of  
debentures,  
rate of inter-  
est, etc.

3. The said debentures shall be made payable in not more than ten years from the date of issue thereof, and shall bear interest at a rate not exceeding six per centum per annum, and may be issued either with or without coupons attached thereto for interest, and shall be payable at such place or places as the corporation may deem expedient.

Equal  
annual in-  
stalments.

4. The said debentures shall be payable in equal annual instalments of principal and interest, in such manner and of such amounts that the amount payable for principal and interest in any year shall be equal as nearly as may be to the amount payable for principal and interest during each of the other years of the period within which the said debt is to be discharged.

Levy of  
special rate

5. The said corporation shall levy in each year during the period within which the said debt is payable, in addition to all other rates, a special rate sufficient to produce and pay the annual instalments of principal and interest falling due upon the said debentures.

Application  
of proceeds  
of debentures.

6. The debentures and all moneys arising from the sale thereof shall be applied in payment of the said floating debt and for no other purpose.

Assent of  
electors not  
required.

7. It shall not be necessary to obtain the assent of the electors of the town of Thorold to the passing of any by-law which shall be passed under the authority of this Act, or to observe the formalities in relation thereto prescribed by *The Municipal Act*.

Rev. Stat.,  
c. 233.

Irregularity  
in form not  
to invalidate

8. No irregularity in the form of the said debentures or any of them, or of any by-law authorizing the issue thereof shall render the same invalid or illegal, or be allowed as a defence to any action brought against the said corporation for the recovery of the said debentures or interest or any part thereof; and the purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such by-law or issuing debentures or as to the application of the proceeds thereof.

Treasurer to  
keep proper  
book of ac-  
count.

9. It shall be the duty of the treasurer, for the time being, of the said town, to keep, and it shall be the duty of each of the members, from time to time, of the council to procure such treasurer to keep, and see that he does keep, a proper book of account, setting forth a full and particular statement, so that the same shall at all times show the number of debentures which from time to time shall be issued under the powers conferred by this Act, and the respective amounts, payment of which is thereby secured, and the times at which

the said debentures shall respectively become due and payable, and the several amounts which shall, from time to time, be realized from the sales or negotiations of the said debentures, and the application which shall, from time to time, be made of the said amounts and the said book of account and statement shall at all times, and at all reasonable hours, be open to the inspection of any ratepayer of the said town, and of any of the holders, from time to time, of the debentures which shall be issued under the powers hereby conferred, or any of such debentures.

**10.** This Act shall come into force on the day upon which Commence-  
ment of Act. it receives the Royal Assent.

## CHAPTER 105.

## An Act respecting the City of Toronto.

*Assented to 3rd April, 1930.*

## Preamble.

**W**HEREAS the corporation of the city of Toronto has by petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

## Short title.

1. This Act may be cited as *The City of Toronto Act, 1930.*

## Expenditures for certain purposes authorized.

2. The following expenditures heretofore made or hereafter to be made by the council of the corporation of the city of Toronto are hereby authorized, validated and confirmed:

1. A grant of \$500 out of current revenue for 1929 to the St. Elizabeth Visiting Nurses' Association;
2. A grant of \$500 to the American Prison Congress;
3. A grant of \$25,000 to the Federation for Community Service Fund for 1929;
4. A grant of \$7,500 to the 1930 fund of the Federation of Jewish Philanthropies of Toronto;
5. A grant of \$1,500 to the Argonaut Rowing Club of Toronto on account of their expenses at the Henley Regatta;
6. A grant of \$25,000 towards the expense of holding the annual Shrine convention in Toronto in 1930;
7. An expenditure of \$8,621 for informing the electors of the said city in respect to a proposed by-law to provide for the issue of debentures to the amount of \$19,000,000 for improvements recommended by the civic department heads in respect to report of the

Advisory City Planning Commission, which by-law was submitted to a vote of the electors on January 1st, 1930, and in respect to the said improvements.

3. The council of the corporation of the city of Toronto may by by-law exempt from taxation, except for local improvement and school purposes, any land or building used as a club house for veterans of the naval, military or air forces of Canada or Great Britain, for such time as same is actually used for the purposes of such a club house, and the said council may also from time to time make a grant to any such club house of a sum of money equal to the amount of taxes for local improvement and school purposes that may be overdue and unpaid in respect to such club house or land used in connection therewith for the purpose of paying such taxes.

Exemption from taxation of Club House for Veterans.

4.—(1) The agreement dated the 31st day of July, 1929, made between the corporations of the village of Forest Hill, the township of York, county of York and the city of Toronto, set out in Schedule "A" hereto is hereby confirmed and declared to be legal, valid and binding upon the parties thereto.

Agreement with Village of Forest Hill, et al. re construction of bridge on Bathurst Street confirmed.

(2) The council of the corporation of the city of Toronto may without the assent of the electors qualified to vote on money by-laws, pass a by-law or by-laws for the issue of debentures to raise the amount not exceeding \$40,000 required to be paid by the said corporation under the provisions of the said agreement.

Power to borrow \$40,000 for city's share.

5. The agreement dated the 30th day of January, 1929, made between the Toronto Electric Commissioners and the corporation of the town of Leaside set out in schedule "B" hereto, is hereby confirmed and declared to be legal, valid and binding upon the parties thereto.

Agreement between Toronto Electric Commissioners and Town of Leaside for construction of distribution system in town.

6. The agreement dated the 24th day of September, 1929, made between the Governors of the University of Toronto and the corporation of the city of Toronto set out in Schedule "C" hereto, is hereby confirmed and declared to be legal, valid and binding upon the parties thereto and upon all other persons whose rights may be affected thereby.

Agreement with Governors of Toronto University re western line of University Avenue.

7.—(1) The acquiring of capital stock by the Toronto Transportation Commission prior to the 8th day of April, 1929, in Gray Coach Lines, Limited, is hereby validated and confirmed.

Acts of Toronto Transportation Commission re Gray Coach Lines confirmed.

(2) No motor vehicle transportation service extending outside the limits of the city of Toronto shall hereafter be established or acquired by the Toronto Transportation Commission or by Gray Coach Lines, Limited, except with the consent of the council of said city to such establishment or acquisition to be first obtained, and subject to the provisions of *The Public Vehicle Act*.

Authority to operate motor vehicles outside city limits.

Operation by  
Gray Coach  
Lines,

(3) The Toronto Transportation Commission may entrust to Gray Coach Lines, Limited, the operation and management of any of its motor vehicle transportation services.

(4) Subsections 2 and 3 of this section shall be deemed to have been in force on the 8th day of April, 1929.

1929, c. 124,  
s. 8  
amended.  
Force of  
agreement  
for opera-  
tion of  
ferries.

8. Section 3 of the Act passed in the nineteenth year of the reign of His Majesty King George the Fifth, chaptered 124, is amended by striking out the word "one" in the fifth line thereof and inserting in lieu thereof the word, "three."

1925, c. 112,  
s. 2  
amended.  
Borrowing  
powers for  
purchase of  
parks, etc.

9. Section 2 of *The City of Toronto Parks Act, 1925*, is amended by striking out the word "five" in the third line thereof and inserting in lieu thereof the word "ten" and the said section shall be read and construed as if it had been originally enacted as hereby amended.

Power to  
construct  
Regatta  
Course on  
Humber  
River.

10.—(1) The corporation of the city of Toronto may construct and maintain a regatta course along or adjacent to the Humber River between Lake Ontario and the Bloor Street Bridge crossing said river, by diverting, straightening, widening, deepening or otherwise improving the said river and by filling in and reclaiming lands or lands covered by water on either side of such regatta course and by constructing a boulevard or drive through the lands on the east side of such regatta course and connecting at its southerly and northerly ends with Riverside Drive.

Power of  
expropria-  
tion.

(2) For the purposes of the works hereinbefore set out the said corporation may acquire either with or without the consent of the owner thereof, and may enter upon, take, expropriate and use any land or land covered by water required for or in connection with any part of the said works.

Compensa-  
tion under  
Rev.  
Stat., c. 233.

(3) When land is expropriated by the said corporation for or in connection with any part of the said works the corporation shall make due compensation to the owner of same according to the provisions of *The Municipal Act*.

Use of land  
belonging to  
Crown,

(4) The Lieutenant-Governor in Council may provide for granting to the said corporation, upon such terms as may be agreed, the right to use and occupy any lands or lands covered by water belonging to the Crown that may be required by the said corporation for or in connection with the said works.

Cost of  
works to be  
paid out of  
proceeds of  
debentures  
for parks.

(5) The cost of the construction of the said works and the acquisition of lands or lands covered by water therefor shall be paid out of the proceeds of debentures issued or to be

issued under the authority of *The City of Toronto Parks Act*, Rev. Stat., 1925, c. 112, 1925, and amendments thereto.

(6) The council of the said corporation may from time to time, with the approval of the Lieutenant-Governor in Council, make regulations respecting the use of the said regatta course. Regulations re use of course.

(7) Nothing in this section contained shall authorize the said corporation to obstruct any navigable waters. Navigation not to be obstructed.

**11.**—(1) The corporation of the city of Toronto may construct local improvement works under the provisions of *The Local Improvement Act* upon, along and under the strip of land hereinafter described extending from Yonge Street to Cherry Street in the city of Toronto (which strip of land is intended to be set aside and dedicated as a public highway under the name of Fleet Street) in the same manner and to the same extent as if the said strip of land were a public highway. The said strip of land is described as follows: Power to undertake local improvements in proposed Fleet Street. Rev. Stat., c. 235.

All and singular that certain parcel or tract of land and premises situate, lying and being in the city of Toronto, in the county of York and Province of Ontario, being composed of part of parcels numbers 2 to 10 inclusive; parts of Scott, Church, West Market, Jarvis, George, Frederick, Sherbourne and Princess Streets, according to a plan of the extension of certain water lots in the city of Toronto, under the authority of an Order-in-Council of the Dominion of Canada, dated the 12th day of June, 1893, which said plan is filed in the Registry Office for the registry division of Toronto, as number 153-E; part of a water lot granted to the Toronto Harbour Commissioners by patent dated the 29th day of July, 1925, and part of the land required for the viaduct as shown on a plan filed in the Registry Office for the registry division of Toronto as number 222-Ry-E; which said parcel may be described as a strip of land eighty-six feet in width lying to the south of and adjoining the following described line:

Commencing at a point in the easterly limit of Yonge Street distant one hundred and fifty feet measured southerly thereon from the southerly limit of the lands required for the viaduct, as shown on plan number 222—Ry-E;

Thence easterly, parallel to the southerly limit of the said viaduct lands, to the easterly limit of Sherbourne Street;

Thence



Thence still easterly, in a straight line to a point distant one hundred and twenty feet measured southerly from and at right angles to the southerly limit of the said viaduct lands from a point distant six hundred feet measured easterly thereon from the easterly limit of Sherbourne Street;

Thence still easterly, in a straight line to a point in the southerly production of the westerly limit of Parliament Street as shown on plan number 153-E distant two hundred and twenty-four feet measured southerly thereon from the northerly limit of the lands required for the viaduct according to the aforesaid plan number 222-Ry-E.

(2) This section shall be read and construed as if it had been in force on the 1st day of January, 1930.

Surplus money in connection with certain relief sewers may be applied to meeting cost of others.

**12.** Where debentures have heretofore been issued or may hereafter be issued by the corporation of the city of Toronto under any by-law for the purpose of providing the cost of the construction of relief sewers named or described in the by-law, and the proceeds of the sale or hypothecation of such debentures exceeds the cost of the construction of such relief sewers, any surplus remaining in the hands of the treasurer of the proceeds of such debentures may be used and applied to pay in whole or in part the cost of constructing other relief sewers.

Tax sales and deeds confirmed.

**13.**—(1) All sales of land within the city of Toronto made prior to the 31st of December, 1928, which purport to have been made by the corporation of the city of Toronto or its treasurer for arrears of taxes in respect to the lands so sold, are hereby validated and confirmed, and all conveyances of land so sold executed by the mayor, treasurer and clerk of the said city purporting to convey the said lands so sold to the purchaser thereof or his heirs or assigns or his or their heirs or assigns, or to the said corporation, shall have the effect of vesting the lands so sold in the purchaser or his assigns or his or their heirs or assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of said sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the lands were sold.

Pending litigation.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under pending litigation.

Commencement of Act.

**14.** The provisions of this Act other than section 13 shall come into force on the day upon which it receives the Royal Assent. Section 13 shall come into force on July 1st, 1930.



## SCHEDULE "A."

This Agreement made this Thirty-first day of July, One thousand nine hundred and twenty-nine.

## BETWEEN:

THE CORPORATION OF THE VILLAGE OF FOREST HILL,  
hereinafter called the "Village,"

of the first part;

THE CORPORATION OF THE TOWNSHIP OF YORK, hereinafter  
called the "Township,"

of the second part;

THE CORPORATION OF THE COUNTY OF YORK, hereinafter  
called the "County,"

of the third part;

--and--

THE CORPORATION OF THE CITY OF TORONTO, hereinafter  
called the "City,"

of the fourth part.

Whereas the said Village in conjunction with the said Township, County and Provincial Department of Highways of Ontario is desirous of erecting a steel and concrete bridge designed for street railway purposes over the ravine on Bathurst Street approximately one-half mile north of St. Clair Avenue, said bridge to have a roadway width between curbs of forty-six feet and two five-foot six-inch sidewalks and a length between abutments of about four hundred and fifteen feet, together with approaches, and all other works necessary thereto.

And whereas the cost of the said bridge and approaches and works is estimated at the sum of Two hundred and fifty thousand dollars.

And whereas the said Village has requested the City to contribute the sum of Forty thousand dollars towards the estimated cost of the said bridge and approaches, and by Report No. 16 of the Board of Control, adopted in Council on the 19th day of June, 1929, it is recommended that the City make such contribution, subject to the terms and conditions hereinafter mentioned.

Therefore this agreement witnesseth that in consideration of the premises and of the mutual covenants and agreements herein contained, the parties hereto have agreed as follows:

(1) That inasmuch as the said bridge is designed for street railway purposes, the approval of the Ontario Railway and Municipal Board of the plans prepared for said bridge and approaches and works shall be procured.

(2) That if upon the completion of the said bridge, approaches and works, the cost thereof shall be less than the sum of Two hundred and fifty thousand dollars, then the City shall pay to the Village such sum as bears the same proportion to the said cost that Forty thousand dollars bears to two hundred and fifty thousand dollars.

(3) That payment by the City to the Village of the said sum of Forty thousand dollars or of such reduced sum, shall be made upon the completion of the said bridge, approaches and works.

(4) That lands owned by the City wherever situate shall not be liable or charged by the said Village, Township or County with any assessment or taxation, direct or indirect, in respect to the cost of the said bridge,

approaches

approaches and works, or any part thereof, and the City shall not be liable to pay any part of the cost of the said bridge, approaches or works, or any part thereof, except as hereinbefore stated.

(5) That the necessary legislation be obtained from the Legislature of the Province of Ontario, at its next session, authorizing the City to make such contribution to the cost of the said bridge, approaches and works, and ratifying and confirming this agreement, and all parties hereto will endeavour to secure the passing of such legislation.

(6) That the City will dedicate to the Village the necessary land to extend Burton Road westerly to Bathurst Street and the Township will convey or procure to be conveyed to the City free of all encumbrance the land comprised in that part of the highway known as Strathearn Boulevard which lies between the south boundary of the proposed extension of Burton Road and a line drawn across said Strathearn Boulevard from the point of intersection of the easterly boundary of the City property and the north side of Strathearn Boulevard to a point in the southerly limit of Strathearn Boulevard distant eighteen feet measured westerly thereon from the intersection with the southerly production of the easterly boundary of the City's land.

In witness whereof the parties hereto have hereunto affixed their Corporate Seals by the hands of their proper officers.

SIGNED, SEALED AND DELIVERED:

In the presence of

*(Seal of the Village of Forest Hill.)*

A. H. KEITH RUSSELL, *Reeve.*

T. W. ARCHER, *Clerk.*

ERNEST G. WESTBURY, *Reeve.*

*(Seal of the Township of York.)*

W. A. CLARKE, *Clerk.*

J. RAY PRICE, *Warden, York County.*

*(Seal of the County of York.)*

R. W. PHILLIPS, *Clerk.*

SAMUEL MCBRIDE, *Mayor.*

*(Seal of the City of Toronto.)*

HENRY REBURN, *Deputy Treasurer.*

## SCHEDULE "B."

This Agreement made in duplicate this 30th day of January, A.D. One thousand nine hundred and twenty-nine.

BETWEEN:

THE TORONTO ELECTRIC COMMISSIONERS, hereinafter  
called the "Toronto Hydro,"

—and—

of the first part;

THE CORPORATION OF THE TOWN OF LEASIDE, hereinafter  
called the "Corporation,"

of the second part.

Whereas the Toronto Hydro is controlling and managing the distribution of electrical power in the City of Toronto under the *Act respecting the City of Toronto*, 1 Geo. V, Cap. 119, Section 16, and *The Public Utilities Act*, R.S.O. 1927, Cap. 249, and amendments thereto, and in connection therewith is operating the distribution system in the City of Toronto;

And whereas the Corporation desires the Toronto Hydro to construct and operate a distribution system in the Town of Leaside for the supply of electrical power to the Corporation and to the inhabitants of the Town, and the Toronto Hydro is willing to construct and operate the said system upon the terms and conditions herein contained subject to the said Acts and to *The Power Commission Act*, R.S.O. 1927, Cap. 57, and amendments thereto;

Now therefore this agreement witnesseth that subject to the said Acts and for the consideration herein contained the parties hereto covenant, promise and agree as follows:

1. The Corporation hereby grants to the Toronto Hydro the right from time to time as the Toronto Hydro may deem necessary to erect, construct, instal, renew, maintain and operate in, across, upon, along or under the streets, highways and public places in the Town of Leaside all poles, pipes, wires and apparatus necessary in the opinion of the Toronto Hydro to supply electrical power to the Corporation and to any of the inhabitants of the said Town, which poles, pipes, wires and apparatus are hereinafter called the "distribution system."

2. Before the Toronto Hydro opens up any highway or portion of highway for the construction therein or thereon of any part of the said Distribution System or any extension thereto (other than for maintenance or operation) the Toronto Hydro shall first apply to the Corporation for location on the highway which the Toronto Hydro proposes to occupy; the Corporation shall within ten days from such application designate the location upon the highway which may be occupied by the Toronto Hydro with its proposed works. If the Corporation fail to designate as aforesaid within said ten days the Toronto Hydro may proceed with its work.

3. After works of the Toronto Hydro have been located in, upon or under any of the said highways as aforesaid then whenever either the Toronto Hydro or the Corporation desires to carry out any construction work, or maintenance or repair or otherwise which may in any way affect on the one hand the "Distribution System" or on the other hand the municipal works or services of the Corporation, it shall, except in cases of emergency, give the other party reasonable notice thereof and shall bear the full cost of repairing or replacing any part of the undertaking of such other party injured or destroyed by the carrying-out of such work.

4. The Toronto Hydro agrees to construct, operate, repair, renew, insure and maintain in good condition the distribution system, provided

that

that the Toronto Hydro shall not be compelled to construct any part of the distribution system unless in its opinion the revenue to be derived from charges to consumers served by such part will be sufficient to justify the expense of construction of such part, provided also that the Toronto Hydro may discontinue operation of any part of the distribution system where the conditions and revenue derived from such part does not in the opinion of the Toronto Hydro justify a continuance of the operation of such part, the intent of these provisos being that the Toronto Hydro will not be required to operate any part of the distribution system at a loss.

5. The Toronto Hydro agrees to pay for the operation, repair, renewal, insurance and maintenance of the distribution system.

6. The Toronto Hydro agrees to insure against all claims for damages arising from or incidental to the erection, installation, operation, and maintenance of the distribution system or any part thereof.

7. The Toronto Hydro shall be entitled to collect and retain for its own use all revenues received from the sale or distribution of electrical power in the Town of Leaside.

8. The rates to be charged by the Toronto Hydro for electrical power furnished to the Corporation and to consumers in the Town shall be rates approved by The Hydro-Electric Power Commission of Ontario and the said rates shall be adjusted annually; the form of rate structure shall be similar to that for a similar service in the City of Toronto.

9. The Toronto Hydro shall keep such books and records relating to the distribution system as shall be required by The Hydro-Electric Power Commission of Ontario.

10. The Toronto Hydro shall be at liberty to collect and adjust the accounts of consumers in the said Town as it may deem necessary, and also to discontinue service to any consumer if said consumer fails to carry out his contract for electrical service; if the Toronto Hydro is unable to collect any such account, the Corporation upon notice in writing to its Clerk shall to the extent and as prescribed in *The Public Utilities Act* collect such account in the same manner as Municipal Taxes on land.

11. The Toronto Hydro and the Corporation will co-operate and assist each other in every reasonable way to secure a first-class light and power service to the users of electrical power or energy in the Town of Leaside upon the same conditions (except as to rates) as prevail in the supply of electrical power in the City of Toronto and to secure and retain customers for the distribution system.

12. The distribution system shall be the property of the Toronto Hydro, but no part of same, and no property of the Toronto Hydro used in serving customers in Leaside shall be subject to taxation by the Corporation. This agreement shall not affect the rights of the parties hereto in respect to property used for other purposes.

13. Notwithstanding any provision in any Statute to the contrary the Toronto Hydro shall not be required to bear any part of the expense of changing, altering or removing any of the poles, pipes, wires or apparatus of the distribution system on account of the works of the Corporation or any private person, and the Corporation hereby indemnifies and saves harmless the Toronto Hydro from all such expense.

14. The Toronto Hydro will furnish street lighting in the said Town as required by the Corporation and the Corporation shall pay the Toronto Hydro for the said street lighting, all subject to the approval of The Hydro-Electric Power Commission of Ontario.

15. This agreement shall continue in force and be binding upon the parties hereto for a period of thirty (30) years from the date thereof and thereafter from year to year for one (1) year periods until terminated by either the Toronto Hydro or the Corporation by notice in writing given at least ninety (90) days before the expiration of any such period.

16. While this agreement continues in force the Corporation will not allow any other person or corporation except the Toronto Hydro or The Hydro-Electric Power Commission of Ontario to supply or distribute electric power or energy in the Town of Leaside and will not grant to any such person or corporation any right to use any of the streets, highways or public places in the Town for any purpose connected with the supply of electrical power.

17. In this agreement the word "power" shall mean "electrical power" and unless the context or circumstances otherwise require shall mean and include "energy."

18. Upon the expiration of this agreement, if the Toronto Hydro shall not have collected sufficient revenue to fully reimburse it for the cost of all poles, pipes, wires and apparatus which it may have constructed either within or without the limits of the Town of Leaside for the purpose solely of this agreement as determined by The Hydro-Electric Power Commission of Ontario, then the Corporation will pay to the Toronto Hydro forthwith the balance necessary to reimburse the Toronto Hydro for the full amount of such cost; due allowance to the Corporation to be made for the proportion of said cost which shall be properly chargeable to consumers within the City of Toronto and full allowance to the Corporation also being made for salvage value. When all monies owing as aforesaid have been paid to the Toronto Hydro, the Toronto Hydro shall convey and release to the Corporation all property in the Distribution System and all right, title and interest of the Toronto Hydro in the said System, except property located outside the limits of the Town of Leaside.

19. This agreement shall take effect only when validated by legislation of the Legislature of the Province of Ontario.

20. This agreement shall extend to, enure to the benefit of and be binding upon the parties hereto and their respective successors and assigns.

21. This agreement and the works to be constructed thereunder shall be subject to the approval of The Hydro-Electric Power Commission of Ontario.

In witness whereof the parties hereto have caused this agreement to be executed under their corporate seals attested by the hands of their proper officers duly authorized thereto.

SIGNED, SEALED AND DELIVERED

in the presence of:

TORONTO ELECTRIC COMMISSIONERS,

(Signed) GEO. WRIGHT,  
*Chairman.*

[SEAL]  
H. J. MAC TAVISH,  
*Secretary.*

Approved October 30th, 1929.  
THE HYDRO-ELECTRIC POWER  
COMMISSION OF ONTARIO,

THE CORPORATION OF THE TOWN OF  
LEASIDE,

(Signed) H. HORSFALL, *Mayor.*  
[SEAL]  
(Signed) W. W. POPE, [SEAL] *Secretary.*

A. T. LAWSON,  
*Clerk-Treasurer.*

## SCHEDULE "C."

This indenture made in duplicate the Twenty-fourth day of September, One thousand nine hundred and twenty-nine.

BETWEEN:

THE GOVERNORS OF THE UNIVERSITY OF TORONTO,  
hereinafter called the "Board,"

of the first part;

—and—

THE CORPORATION OF THE CITY OF TORONTO,  
hereinafter called the "Corporation,"

of the second part.

Whereas by an agreement dated the Second day of March, A.D. 1889, between Her Majesty the Queen, represented for the purposes of the agreement by John Edward Berkeley Smith, the Bursar of the University and Colleges at Toronto (in his official character as such) of the First Part, and the Corporation of the City of Toronto, of the Second Part, which agreement was confirmed by Statute passed by the Legislature of Ontario in the same year, certain streets and avenues therein named, including the Avenue from Queen Street (now known and hereinafter referred to as University Avenue) were dedicated by Her Majesty to the public, on the terms and conditions therein set forth.

And whereas certain doubts and questions have arisen as to the location of the westerly limit of University Avenue as so dedicated, and this agreement is entered into for the purpose of definitely establishing such westerly limit.

Now therefore this indenture witnesseth that the parties hereto, for and in consideration of the matters herein set forth as well as other valuable consideration, agree, confirm and declare that the westerly limit of University Avenue, described in the said agreement dated the Second day of March, A.D., 1889, as the Avenue from Queen Street, and dedicated to the public by Her Majesty, by the said agreement is and has been since the date of the said agreement as may be particularly described as follows:—

Premising that the "Monument line" referred to herein is a straight line drawn northerly from the site of the stone monument that formerly marked the northwesterly angle of Queen Street and University Avenue, to the stone monument now marking the southwesterly angle of College Street and University Avenue; then commencing at the southerly end of the "Monument line" being at the northwesterly angle of Queen Street and University Avenue; then northerly along the said "Monument line" to the southerly limit of lot number Four, according to a plan filed in the Registry office for the Registry Division of Toronto as Number D-211; thence easterly, parallel to the northerly limit of Queen Street, two feet one and one-half inches; thence northerly, parallel to the "Monument line" to the southerly limit of Elm Street, according to instrument Number 13707 B; thence westerly, parallel to the northerly limit of Queen Street two feet one and one-half inches to the "Monument line"; thence northerly, along the said "Monument line" to the southwesterly angle of College Street and University Avenue.

And this indenture further witnesseth that notwithstanding this agreement, the owners of property adjacent to the said above described westerly limit of University Avenue shall not acquire any right of ingress or egress to or from the said University Avenue from and to their said adjacent properties other than such adjacent property owners may have possessed before this agreement was made.

In witness whereof the said parties have herunto set their hands and seals as follows, that is to say, the Governors of the University of Toronto

by the hands of its Chairman and Bursar and the Corporate seal of the said Board, and the said Corporation of the City of Toronto has affixed its Corporate Seal and the hands of the Mayor and Treasurer thereof, the day and year first above written.

THE GOVERNORS OF THE UNIVERSITY OF TORONTO.  
SIGNED, SEALED AND DELIVERED "H. J. CODY," [SEAL]  
in the presence of *Chairman*  
"MADELINE BURNS" "F. A. MOURE,"  
*Bursar*  
"SAMUEL MCBRIDE" [SEAL]  
*Mayor*  
"GEORGE WILSON,"  
*Treasurer.*

## CHAPTER 106.

## An Act respecting the City of Toronto.

*Assented to 3rd April, 1930.*

## Preamble.

**W**HEREAS the corporation of the city of Toronto has by petition represented that certain lands and lands covered by water, in the area formerly forming part of the harbour of Toronto, bounded on the north by the Old Windmill Line on the east by the easterly limit of Parliament Street, on the south by the New Windmill Line and on the west by the westerly limit of Yonge Street, were granted by letters patent issued by the Crown in right of the Dominion of Canada and by the Crown in right of the Province of Ontario excepting and reserving therefrom as and for an allowance for a public highway a strip of land sixty-six feet in width lying to the south of the said Old Windmill Line and subject to certain trusts for the carrying out of the Windmill Line Agreement as validated and confirmed by the Act 4 Edward VII (Ont.), chapter 70, section 1, and that the said agreement provided for the construction on said strip of land of a highway commonly referred to as Lake Street; and that the said highway was not constructed through said lands; and that under the provisions of a certain agreement dated the 7th day of November, 1924, and made between the said corporation, the Canadian National Railway Company, the Canadian Pacific Railway Company and the Toronto Harbour Commissioners (commonly known as The Toronto Viaduct Agreement), a railway viaduct has been constructed through said lands and upon a large portion of the said strip of land known as Lake Street, and that the said strip of land has since been granted by letters patent issued by the Crown in right of the Dominion of Canada to the owners or beneficial owners of the adjoining lands; and that doubts have arisen as to the validity of the title of such owners to the said strip of land by reason of the said strip having been formerly reserved as and for an allowance for a public highway, and that it is desirable that such doubts be removed and that the lands affected by the trusts, conditions or obligations respecting the construction of Lake Street through the lands hereinbefore described as set out in the said Windmill Line Agreement and in the said Act should be freed and discharged from such trusts, conditions or obligations; and whereas the said corporation has by the said petition prayed for special

legislation



legislation in respect to the said matters and to the other matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1.—(1) All lands on the waterfront of the city of Toronto lying east of Yonge Street in the said city and south of the Windmill Line referred to in the Statute 4 Edward VII, Chapter 70, section 1, and in the Windmill Line Agreement forming schedule A to the said statute, are hereby released, freed and discharged from all the trusts, obligations or conditions created or imposed thereon by the said statute or by the said agreement in respect to the construction through same of Lake Street and are released, freed and discharged from all conditions respecting the construction of Lake Street attached thereto in any patents thereof granted or issued in pursuance of the provisions of the said statute or agreement, and the respective persons and corporations entitled to the said lands or parts thereof are hereby declared to have been and to be entitled to receive, hold and convey the said lands freed and discharged from such trusts, obligations or conditions notwithstanding that any or all of the conditions imposed thereon or attached thereto by the said statute, agreement or patents were not performed.

Certain lands freed from trusts, etc., as to construction of Lake Street.

(2) The said lands are hereby released, freed and discharged of and from all liens (if any) which have attached thereto under the provisions of the said statute or agreement on account of expense incurred by the corporation of the city of Toronto for work in connection with or construction of the new street referred to in the said agreement.

Liens discharged.

(3) It is hereby declared that the portion hereinafter described of the strip of land sixty-six feet in width formerly reserved for a new street (commonly referred to as Lake Street) as provided in section four of the said Windmill Line Agreement, namely, so much of the said strip of land as is situated between Yonge Street and Parliament Street, excepting therefrom so much as is included within the limits of any highway intersecting same, is not a public highway and is not subject to any trust therefor nor is it subject to any right or claim of the public to hold or enjoy it as such and the said portion of the said strip of land and all lands south thereof and east of Yonge Street are released, freed and discharged from the easements created by section 5 (e) of the said Windmill Line Agreement for the establishment and use of pipes for drawing

Declaration as to strip of land not being a public highway.

water from Toronto Bay, and the said allowance is released, freed and discharged from the restriction imposed by section 5 (f) of the said agreement.

Case of  
Standard  
Fuel Co.  
et al.

(4) Notwithstanding anything herein contained, the Standard Fuel Company Limited, and any other person having any interest in any land affected by this Act, shall have all such rights of compensation in respect of such land, whether part of the original water lot, or land in front thereof, as they would have had if this Act had not been passed.

Annual con-  
tribution  
to Police  
Benefit  
Fund.

2. The council of the said corporation may contribute yearly to the Toronto Police Benefit Fund any sum of money up to an amount sufficient, when added to contributions from members of the police force, to put the said fund on a sound actuarial basis so as to provide for all claims upon the fund on such plan of city payments, contributions by members, and provisions for benefits as shall be approved by by-law passed by the said council and may provide for continuing such yearly payments for any period of years, and at the expiration of any such period may make further provision for making further yearly payments to the said fund.

Grant of  
\$10,000 to  
Art Gallery.

3. The council of the corporation of the city of Toronto may out of current revenue for the year 1930 make a grant of \$10,000 to the Art Gallery of Toronto for the maintenance and upkeep of the Art Gallery in addition to the annual grant authorized by section 2 of the Act passed in 1927 and chaptered 134.

1928, c. 89,  
amended.

4. Section 1 of the Act 18 George V, Chapter 89, is amended as follows, namely,—

(a) By striking out the words “and a sum sufficient to cover the cost of their subsequent maintenance and operation” in the tenth and eleventh lines thereof;

(b) By adding the following subsection,—

Special  
frontage  
rates to  
cover main-  
tenance.

(2) The said corporation shall annually collect as taxes by an equal special rate per foot frontage upon the lands described in subsection 1 the amount expended by the said corporation for maintenance and operation of the said pump and equipment together with an amount to be fixed by the treasurer of the said corporation to provide for the renewal of the said pump and equipment; provided that in the first year in which such collection is made the amount collected shall be proportioned so as to reimburse the said

corporation

corporation for operation, maintenance and renewal of the said pump and equipment from the date of commencement of its operation to the beginning of such year.

5. The council of the corporation of the city of Toronto may from time to time, without submitting the same to the electors qualified to vote on money by-laws, pass a by-law or by-laws to raise the sum of \$663,674 or any portion thereof, for the following purposes, *na nely,—*

Extensions of high pressure fire system....	\$418,791
Relief sewers.....	183,835
Reconstruction of sewer on Dufferin Street from Springhurst Avenue to south of Queen Street.....	61,048
	<hr/>
	\$663,674

6. By-law No. 12535 passed by the council of the corporation of the city of Toronto on the 10th day of March, 1930, and entitled "A By-law to provide for borrowing \$8,239,481.91 upon debentures to pay for the North Toronto Sewerage System" and all debentures to be issued thereunder and all assessments and rates imposed thereby, are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law 12535  
borrowing  
\$8,239,481.-  
91 for North  
Toronto  
Sewerage  
System

7. This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-  
ment of Act.

## CHAPTER 107.

An Act respecting the joint purchase of Waterworks  
by the Municipal Corporations of the Town  
of Walkerville and the City of  
East Windsor.

*Assented to 3rd April, 1930.*

Preamble.

**W**HEREAS the municipal corporations of the town of Walkerville and the city of East Windsor have by their petition, prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:—

Short title.

**1.** This Act may be cited as *The Walkerville-East Windsor Water Commission Act, 1930.*

Interpre-  
tation.

**2.** In this Act,—

"Com-  
mission."

(a) The "Commission" shall mean "The Walkerville-East Windsor Water Commission" created by this Act;

"Walker-  
ville."

(b) "Walkerville" shall mean the corporation of the town of Walkerville;

"East  
Windsor."

(c) "East Windsor" shall mean the corporation of the city of East Windsor;

"Riverside."

(d) "Riverside" shall mean the corporation of the town of Riverside;

"Sandwich  
East."

(e) "Sandwich East" shall mean the corporation of the township of Sandwich East;

"Municipal  
Board."

(f) "Municipal Board" shall mean the Railway and Municipal Board;

(g)

- (g) "System" shall mean the works and property referred <sup>"System."</sup> to in schedule 1 to this Act and all extensions and additions thereto and improvements thereof and all works and property hereafter constructed, purchased or acquired by the Commission.

3.—(1) For the purposes hereinafter mentioned there shall be a Commission consisting of five persons as follows: <sup>Water Com-</sup>  
<sup>mission,—</sup>  
<sup>how com-</sup>  
<sup>posed.</sup>

- (a) The mayor of Walkerville shall be *ex officio* a member of the Commission and the council of Walkerville shall, every three years, appoint one person who is a resident of Walkerville to be a member of the Commission.
- (b) The mayor of East Windsor shall be *ex officio* a member of the Commission and the council of East Windsor shall every three years appoint one person who is a resident of East Windsor to be a member of the Commission.
- (c) The four persons who have become members of the Commission under the provisions of this section shall forthwith appoint another person to be the chairman of the Commission and, if a majority of them do not agree forthwith, the senior judge of the county of Essex shall, upon request of the other members of the Commission, or any one of them, or of the council of either Walkerville or East Windsor, appoint such other person from among the residents of the city of Windsor or the town of Sandwich and upon appointment such member shall hold office for three years and every three years thereafter a person to be the chairman of the Commission shall be appointed in the same manner.

(2) The Commission shall be a body corporate and politic <sup>Com-</sup>  
<sup>mission a</sup>  
<sup>corporation.</sup> under the name of "The Walkerville-East Windsor Water Commission."

(3) The office of commissioner shall *ipso facto* become <sup>Vacancies.</sup> vacant:

- (a) Upon his death or resignation;
- (b) If he ceases to be a resident of the municipality the council of which appointed him;
- (c) If, being the chairman of the Commission appointed by the senior county judge, he becomes a resident of either Walkerville or East Windsor;

(d)

(d) If he is absent from the meetings of the Commission for three consecutive months;

(e) If he commits any act which would disqualify him from being a member of a municipal council and the provisions of *The Municipal Act* with respect to disqualification shall apply to the office of commissioner.

(4) Where the office of an appointed member becomes vacant before the expiration of the term for which he was appointed, the vacancy shall be filled forthwith in the same manner as the first members are appointed and the person appointed to fill the vacancy shall hold office for the remainder of the term for which his predecessor was appointed.

(5) Any member of the Commission whose term of office has expired shall be eligible for reappointment.

Chairman. (6) The chairman shall preside at all meetings of the Commission at which he is present, and, in his absence, the members present shall elect one of such members to preside and who, during such absence, shall have and exercise the powers of the chairman.

Quorum. (7) A majority of the commissioners shall constitute a quorum at any meeting.

Meetings. (8) The Commission shall meet at least once every month on a day or days to be fixed by the chairman and two days' notice by ordinary post of such meeting shall be given to the members, and in case of emergency, the chairman or secretary may call meetings on shorter notice given in any other manner.

Seal. (9) The Commission shall have a common seal in such form as the Commission may decide and may from time to time change the same.

Secretary-treasurer. (10) The Commission shall appoint a secretary, a treasurer who may also hold the office of secretary, and such other officers and servants from time to time as it may deem requisite, and shall fix all salaries or other remuneration of its officers and servants.

Contracts. (11) Any contract entered into by the Commission and sealed with its seal and signed by the chairman, or acting chairman, and secretary shall be binding upon the Commission.

Records. (12) The Commission shall keep proper records and books in which shall be recorded and entered the business of the Commission.

(13) The chairman of the Commission shall be paid such salary as the Commission shall fix from time to time and the other members of the Commission shall serve without salary. Remuneration of chairman.

(14) The treasurer and such other officers and servants as the Commission decides before entering on the duties of their office shall give such security as the Commission may deem proper for the faithful performance of their duties and paying over all moneys which come into their hands. Security from officers.

(15) The Commission may, from time to time, pass by-laws for any of the following purposes, namely: By-laws.

- (a) To regulate the calling and holding of its meetings and the proceedings thereat;
- (b) Prescribing rules and regulations respecting its officers servants and the terms upon which customers may be supplied with water;
- (c) Respecting the conduct of the affairs and the exercise of the powers of the Commission generally.

4.—(1) The Commission shall, on or before the first day of March in each year, cause a return for the preceding calendar year to be made to Walkerville and East Windsor containing a statement of the affairs of the Commission and showing all the information required to be given under section 42 of *The Public Utilities Act*. Annual return by Commission to Walkerville and East Windsor. Rev. Stat., c. 249.

(2) The Commission shall also furnish to either Walkerville or East Windsor such information as may be required from time to time.

(3) The Commission shall engage auditors to audit its accounts and shall furnish to the auditor such information and assistance as may be in its power to enable the audit to be made. Auditors.

5. A record of all the proceedings of the Commission shall be kept and shall be open to inspection by any person appointed for that purpose by Walkerville or East Windsor. Proceedings of Commission.

6. The Commission shall acquire on behalf of Walkerville and East Windsor the works and property described in an agreement, dated the 22nd of January, 1930, made between the Walkerville Water Company Limited and the Walkerville Construction Company Limited of the one part, and the municipal corporation of the town of Walkerville of the other part, as set out in schedule 1 hereto, and the said agreement is hereby ratified and confirmed and declared to be legal, valid

and binding upon the parties thereto and East Windsor as though it were named jointly with Walkerville as a party thereto, and upon the ratepayers of Walkerville and East Windsor; and the Commission shall be substituted in the place and stead of Walkerville and East Windsor in respect of the said agreement; and the Commission may pass such by-laws, issue such debentures, pay such moneys and do all such acts, matters and things as it may deem necessary for the full and proper carrying out of the provisions of the said agreement as if the Commission was a party to the said agreement in the place of the town of Walkerville.

7.—(1) For the following purposes:

Borrowing  
powers of  
Commission.

- (a) Providing the money to pay the purchase price of the system to be ascertained as provided by the said agreement and any estimated sum to cover discount on the sale of debentures and the expenses preliminary and incidental to the purchase;
- (b) Providing the moneys to pay for any extensions, additions and improvements hereafter made to the system;
- (c) To enable the Commission to satisfy its obligations under section 14 or any other section herein

the Commission may agree with any bank or person for temporary advances and may by by-laws passed from time to time without the assent of any electors, issue debentures for the sums so borrowed or required and the debt so incurred and the debentures so issued shall be a direct liability of Walkerville and East Windsor to the lender of such sums and to the holder of any such debentures and shall be specially charged upon the system, and the said by-laws and debentures may be in such form as the Commission may decide.

(2) The Commission may either before or after the Commission fixes the rates for the current year, or part thereof, borrow such sums as it may deem necessary to meet the current ordinary expenditure of the Commission until the rates are collected.

Application  
of Rev. Stat.,  
c. 233.

(3) Except as herein otherwise provided, the provisions of *The Municipal Act* as to by-laws for creating debts, including sections 304 and 305, shall apply to the said by-laws except that it shall not be necessary to submit any such by-laws to any electors for their assent.

Term of  
debentures.

(4) The debentures may run for a term not exceeding thirty years from the time the same are issued.

(5)



(5) The debentures issued shall be under the seal of the Commission and signed by the chairman and secretary. Execution of debentures.

(6) Any rate levied to meet any debt incurred under the authority of this Act, shall not be included in the limit of rates fixed by subsection 1 of section 306 of *The Municipal Act*. Limit of rates.

8.—(1) The Commission shall manage, control, operate and maintain the system. Management of System by Commission.

(2) The Commission shall have the right to extend, add to and improve the system including the construction of all works which the Commission may deem necessary for any of its purposes in Walkerville, East Windsor, Riverside and Sandwich East with the approval of the Municipal Board upon application by the Commission to the said Board for such approval upon notice to the municipality in which the proposed work is situate and to any other municipality which the Municipal Board may direct. Extensions with approval of Municipal Board.

(3) All works which are supplied with water by the Commission shall, while being so supplied, be under the direct supervision of the Commission, and the Commission may pass by-laws to regulate the connection of mains and pipes with the system and the supply of water therein, and do such acts as may be necessary to protect the system and every part thereof, or the pressure or flow of water therein. Provided that nothing in this subsection shall empower the Commission to violate any existing contract which either Riverside or Sandwich East has with regard to its water supply. Connections with mains.

(4) The Commission shall fix annually the rent or rate to be charged to each municipality being furnished with water by the Commission for hydrant service both in respect to hydrants owned by the Commission and hydrants owned by the municipalities. Hydrants.

9. The words "the clerk of the municipality" in subsection 2 of section 26 of *The Public Utilities Act* shall, with respect to this Act, mean the clerk of the municipality in which the land is situated and the amount collected shall be paid to the Commission forthwith. Rev. Stat., c. 249.

10. The Commission may enter into agreements and contracts of all kinds with any municipality for the supply of water, the installation of hydrants and for any other services incidental to the supply of water upon such terms and for such time as may be agreed, without the assent of the electors of any municipality. Agreements for supply of water.

Extensions  
in East  
Windsor and  
Walkerville.

**11.** The Commission shall, when so authorized and directed by by-law passed by the council of Walkerville or of East Windsor construct such extensions and additions within the municipality as the said by-law may direct and shall borrow the money to pay the cost thereof and issue debentures for the sum so borrowed under the provisions of this Act, provided, however, that the sum so authorized and directed shall not exceed \$50,000 in each municipality in any one year.

Application  
of Rev. Stat.,  
c. 249.

**12.** Save as herein otherwise provided the Commission shall have the powers, rights, authorities and privileges of a Municipal Public Utilities Commission under *The Public Utilities Act* and the system shall be a public utility within the meaning of *The Public Utilities Act*.

Special  
annual  
frontage rate  
to assist in  
payment of  
debentures.

**13.—(1)** For the purposes of assisting in the payment of the principal or interest of debentures for waterworks purposes issued or assumed by the Commission under the authority of this Act, the Commission shall impose in Walkerville and East Windsor an equal annual special rate not exceeding eleven cents per foot of frontage upon all land fronting or abutting upon any highway, lane or other public communication in, through or along which waterworks mains are laid as well as all other land distant not more than three hundred feet therefrom, whether or not the owners or occupants thereof use the water.

(2) The amount payable by the owner or occupant of any land upon which such frontage rate is imposed shall be a lien and charge upon the estate or interest in such land of the person by whom such amount is due and may be collected by the sale of his estate and interest in the said land.

Exception  
as to land  
assessed for  
local im-  
provement  
watermain.

(3) The said special rate shall not be imposed upon or collected from the owner or occupant of land upon which a special rate under *The Local Improvement Act* is payable for the construction of such a watermain where the payment of the same has not been assumed by the Commission under this Act.

(4) The Commission, upon the production by the owner or occupant using the water of the receipt for the payment of the rate or rent chargeable for the use thereof during the year or such proportion thereof as equals such special rate, shall remit or allow to such owner or occupant the amount so paid as a payment of or on account of such special rate.

Assumption  
of local im-  
provement  
rates in East  
Windsor.

**14.—(1)** The Commission shall by by-law assume liability for and shall provide the funds necessary to liquidate all unpaid instalments of debentures issued or to be issued in respect of waterworks constructed under *The Local Improve-*

*ment Act* prior to the 1st of April, 1930, in East Windsor, and shall furnish the treasurer of East Windsor with sufficient funds to pay the said debentures as they fall due.

(2) The Commission may apply upon the payment of the said unpaid instalments an equal annual sum during the remainder of the period during which such instalments fall due and may from time to time by by-laws passed without the assent of any electors, borrow money to provide for deficits arising by reason of such equal annual sums being insufficient to meet such unpaid instalments from time to time and may issue debentures for the sums so borrowed payable on the instalment plan, the last instalment of which shall fall due not later than the last instalment of the debentures mentioned in subsection 1 of this section and the same shall be binding upon the Commission, its system, East Windsor, Walkerville and the ratepayers thereof.

(3) J. Clark Keith shall forthwith make a report to the Commission setting forth what allowance, if any, shall be made by the Commission to East Windsor for the waterworks belonging to East Windsor as of 1st April, 1930, over and above the amount of unpaid debentures assumed by the Commission under subsection 1 hereof and in ascertaining said allowance, due consideration shall be given by him to all things set forth in the letter dated November 19th, 1929, sent to him by Walkerville and East Windsor in addition to all other proper considerations, provided that, if for any reason J. Clark Keith is prevented from making said report East Windsor and Walkerville may agree on another person to make same and failing agreement, the senior county judge of the county of Essex on application of either Walkerville or East Windsor, shall appoint a person to make said report instead of said Keith.

Provision for determining allowance to East Windsor for its water-works.

(4) The Commission shall forthwith deliver to the city of East Windsor the Commission's debentures payable in thirty (30) equal annual instalments and bearing interest at the rate of five per centum (5%) per annum payable half-yearly for the amount of said allowance, if any, so reported by the said J. Clark Keith or his substitute.

Debentures of Commission to be handed over to East Windsor.

(5) All waterworks constructed in and owned by East Windsor prior to April 1st, 1930, shall be vested in the Commission and be part of the system.

**15.** The system shall be deemed assets of Walkerville and East Windsor in such shares as the Municipal Board may decide upon application of either of the said municipalities when the occasion arises for such determination.

Interest of Walkerville and East Windsor in system.

Application  
of surplus  
moneys.

**16.** Any surplus or reserve created in connection with the operation of the system shall be used for such purpose (beneficial to the system) as the Commission may decide.

Uniform  
rates in  
Walkerville  
and East  
Windsor.

**17.** The rates charged by the Commission from time to time shall be uniform in Walkerville and East Windsor for the same class of consumer.

Amount  
of rates.

**18.** Rates shall be charged and collected in every year throughout the territory supplied by the system from time to time by the Commission in an amount calculated to be sufficient to defray all annual expense arising from the purchase, operation, maintenance, extension and improvement of the system, and all other annual expenses of the system, including the annual charges for the re-payment of the debenture debt outstanding from time to time with respect to the system, and if a deficit occurs in any year, additional rates shall be collected in the succeeding year or years to liquidate the same and pending the collection of rates to defray such deficit, the Commission shall have power to borrow sufficient money by way of temporary loan to meet the requirements of the said deficit.

Appeals to  
Municipal  
Board.

**19.—(1)** Any municipality being served with water by the Commission shall have the right to appeal to the Municipal Board for relief concerning any grievance claimed in respect of the exercise of the powers of the Commission or the failure of the Commission to fulfil its obligations.

(2) The municipality appealing shall serve a written notice upon the Commission setting out particulars of the grievance, reasons for the appeal and the relief claimed, and the Board upon receipt of the said notice with proof of service shall appoint a day for the hearing not less than ten days after the date of service on the Commission.

(3) The Municipal Board, after hearing all parties concerned, may make such order as in the circumstances it may deem just.

(4) The Commission may apply on like notice to the Municipal Board for any relief in regard to any municipality to which or through which it serves water with respect to any grievance it may have or with respect to the variation of any order which the Board has previously made under this section.

Rev. Stat.,  
c. 225.

(5) *The Railway and Municipal Board Act* shall apply to any order made by the Municipal Board under this section.

Debentures  
charged on  
system, etc.

**20.** All sums borrowed and debentures issued under the authority of this Act shall be binding on the Commission,

Walkerville,

Walkerville, East Windsor and the ratepayers thereof, and shall be a special charge upon the system.

**21.** The Essex Border Utilities Commission shall have the right to acquire the system under the provisions of *The Public Utilities Act* and *The Consolidated Essex Border Utilities Act, 1929*, as if the same was privately owned, and nothing in this Act contained shall affect or derogate from the powers of the Essex Border Utilities Commission under *The Consolidated Essex Border Utilities Act, 1929*, and the amendments thereto.

Power of Essex Border Commission to acquire system.  
Rev. Stat., c. 249.  
1929, c. 98.

**22.** This Act shall come into force on the day upon which it receives the Royal Assent.

Commencement of Act,

## SCHEDULE "1"

This agreement made the 22nd day of January, 1930.

BETWEEN:

THE WALKERVILLE WATER COMPANY LIMITED and WALKERVILLE CONSTRUCTION COMPANY LIMITED, hereinafter called the "Companies,"

of the one part;

—and—

THE MUNICIPAL CORPORATION OF THE TOWN OF WALKERVILLE, hereinafter called the "Town,"

of the other part.

Whereas the Companies are operating a public utility supplying water in the Town, the City of East Windsor, the Town of Riverside and the Township of Sandwich East, under certain franchises granted by the Town and the Township of Sandwich East;

And whereas the Essex Border Utilities Commission hereinafter called the "Commission" proposed to expropriate the said utility for the benefit of the said Municipalities, and in pursuance thereof entered into an Agreement with the Companies, dated the 10th day of October, 1928, fixing the price to be paid for the said utility at \$606,132.40, which price was based upon the report of Mr. J. Clark Keith, dated the 12th day of July, 1928;

And whereas the said agreement provided, among other things, that in the event that the same was not authorized by a favourable vote of the ratepayers at or before the annual Municipal election for the year 1929, the same should be null and void;

And whereas the said agreement was authorized by the ratepayers of the Towns of Walkerville and Ford City, but was not authorized by the ratepayers of the Town of Riverside and the Township of Sandwich East;

And whereas the City of East Windsor subsequently refused to participate in the purchase of the said utility;

And whereas the Municipal Council of the Town has passed a By-law authorizing the Town to acquire the said utility which was to have been acquired by the Commission as aforesaid, and the said By-law was duly submitted to and received the assent of the ratepayers of the Town in the month of December, 1929;

Now this agreement witnesseth and it is agreed as follows:—

(1). The companies agree to sell and the Town agrees to buy the works of the Companies and all property used in connection therewith, for the purpose of supplying water, and being the properties set out or referred to in the said report, which is hereby made a part of this agreement, and the lands and premises set out in Schedule "A" hereto, and all easements, rights, powers, authorities and privileges enjoyed or exercised by the Companies, and each of them, and all contracts in force on the day provided herein for transfer, and all documents relating to the undertakings of the Companies except the Companies' charters, by-laws, minute books, share registers, stock certificate books, transfer books, bank books, financial statements and cash books and/or ledgers and other documents relating to the organization and management of the companies.

(2). The said assets shall be transferred, free from all encumbrances, claims and obligations, except as hereinafter mentioned, to the Town, or to such other body or bodies as may be authorized to hold and operate the same.

(3). Until the transfer day, the Companies, and each of them, shall keep up, as nearly as may be, the properties of every nature so to be transferred, and shall do no act to invalidate or determine any easement, right, power, privilege or benefit of any contract enjoyed or exercisable by the said Companies or either of them.

(4). The consideration for the said sale shall be the payment by the Town to the Companies of the said sum of \$606,132.40 plus such additional amount as may be certified by the said J. Clark Keith and Mr. William Storrie consulting Engineer for the Companies, it being understood that the amount ascertained by the said report, and the principle by which it was ascertained are hereby approved and accepted, and that all proper and just allowances, following the same principle, shall be made by the said Keith and Storrie, so as to bring the said report up to the day of transfer.

The said consideration shall be paid in cash on or before the transfer day, or, at the option of the Companies, by the transfer to the Companies of equal, annual instalment debentures of the Town, at the market value thereof at the time of transfer.

(5). The Companies shall, until the transfer day, carry on and manage their undertakings according to their usual course of business, including extensions and changes made between this date and the transfer day, and approved by the said Keith and Storrie, and shall maintain and keep the works and properties intended to be sold to the Town as aforesaid, in their present state and condition, reasonable wear and tear excepted, and shall continue to keep proper accounts. Provided always, that the Companies shall not, without the previous consent in writing of the Town, incur or enter into any new liability or contract in respect of their undertakings except such as may be necessary in the ordinary course of business.

(6). On payment by the Town of the consideration for the sale, the Companies shall forthwith execute all deeds and documents and do all things that may be reasonably required by the Town for carrying into effect the sale and purchase, and for transferring to and vesting in the Town the properties and rights hereby agreed to be sold, free from all liabilities and encumbrances affecting the same, except as hereinafter mentioned, and for letting the Town into possession thereof, and shall also by way of further assurance, but at the expense of the Town, execute or procure the execution of such deeds and documents by other persons.

(7). The day appointed for the completion of the sale and purchase (heretofore referred to as the transfer day) shall be thirty days after the Bill (hereinafter referred to) receives the assent of the Lieutenant-Governor of the Province of Ontario, but not later than the 30th day of June, 1930, and time shall be the essence of this agreement. If, from any cause, all or any part of the purchase money shall not be paid on that day, the Town shall pay to the Companies interest at the rate of Six (6) per cent. per annum, on the moneys so remaining unpaid from the transfer day until the payment thereof.

(8). Should the sale and purchase be not completed on the transfer day, the Companies shall thereafter, as agents for and at the expense and risk of the Town, but subject to the provisions of Section 9 and 12 hereof, carry on the undertakings until the sale and purchase shall be actually completed, and the Town shall, on or before the actual completion of the sale and purchase, pay to the Companies the sum of \$1,500.00 for each and every month during which the Companies act as such agents, and shall also repay to the Companies all moneys expended by them whilst acting as such agents, with interest thereon at the rate of six (6) per cent. per annum.

(9). Provided always that nothing herein contained shall bind the Companies to allow any extension of time beyond the transfer day fixed as above, but they may, at their option, declare this agreement to be at an end.

(10).



(10). From and after the completion of the sale, and until the Companies shall be finally wound up and dissolved, the Companies shall have full access at all reasonable times to the documents, books and accounts of the Companies, and for all other reasonable purposes in relationship of the winding up of the Companies, and the Town shall permit such officers and servants of the Town as shall have been in the employ of the Companies to assist in making up such accounts.

(11). After the sale and purchase shall have been completed, the Companies shall continue to subsist only for the purpose of winding up their affairs.

(12). The Town or other body or bodies representing it shall assume and be responsible for the obligations of the Companies and each of them, under the by-laws, agreements and other documents mentioned or referred to in Schedule "B" hereto and for all other contractual obligations of the Companies for supplies which may be liabilities after the transfer day.

(13). This agreement is made and entered into, upon and subject to the condition that before the transfer day the same shall be approved by proper legislative authority and made valid and binding upon the parties hereto; and in the event that this agreement is not so made valid and binding, it shall be null and void, and shall be deemed to have been entered into by the Companies without prejudice to their legal rights.

(14). The Town shall make application to the Legislative Assembly of the Province of Ontario, at its next Session for legislation validating this agreement and enabling the Town to carry it out.

(15). Provided always, that should such legislative authority be not obtained, or if obtained, the said sale and purchase be not completed through failure on the part of the Town, the Town shall pay to the Companies the expenses incurred by the Companies in and about the said report of the 12th day of July, 1928, and in and about the supplemental report of the said Keith and Storrie herein provided for.

In witness whereof this agreement has been executed by the parties hereto.

THE WALKERVILLE WATER COMPANY LIMITED.

By "HIRAM H. WALKER," *President*.

[SEAL]

"C. D. BROWN," *Secretary*.

WALKERVILLE CONSTRUCTION COMPANY  
LIMITED,

By "HIRAM H. WALKER," *President*.

[SEAL]

"C. D. BROWN," *Secretary*.

THE MUNICIPAL CORPORATION OF THE TOWN  
OF WALKERVILLE,

By "THOS. F. LANSPEARY," *Mayor*.

[SEAL]

"A. E. COCK," *Clerk*.



*Schedule "A"*

All and singular those certain parts of lots 96 and 97 (McNiff's Survey) formerly in the First Concession of the Township of Sandwich East, now in the Town of Walkerville, more particularly described as follows:—*Firstly:* Commencing at a point in the easterly limit of the Walker Road, distant one hundred and thirty-seven (137) feet four (4) inches more or less from the northerly limit of the Tecumseh Road, as widened, measuring northerly therefrom along said easterly limit, said point being distant one (1) foot measured southerly along said easterly limit from the southerly face of the southerly wall of a brick building; thence northerly along said easterly limit one hundred and twenty (120) feet to a point, thence easterly at right angles to said easterly limit two hundred and ninety-seven (297) feet six (6) inches to the easterly limit of lands of the grantor; thence southerly along said limit one hundred and twenty (120) feet to a point; thence westerly at right angles to the said easterly limit of the Walker Road, two hundred and ninety-seven (297) feet six (6) inches more or less to the place of beginning. *Secondly:* Commencing at a point eight (8) feet measured westerly at right angles from the westerly limit of the Walker Road, said point being four hundred and forty-two (442) feet six (6) inches measured from the northerly limit of the Tecumseh Road as widened, along a line parallel to and eight (8) feet westerly from the westerly limit of the Walker Road, thence northerly parallel with the said westerly limit forty (40) feet; thence westerly at right angles ninety-four (94) feet; thence southerly parallel to the westerly limit of the Walker Road forty (40) feet; thence easterly at right angles ninety-four (94) feet to the place of beginning, together with right of access to and egress from the said land at all times over the strip of land eight (8) feet wide lying between the said lands and the Walker Road; the said strip of land eight (8) feet wide being intended for the widening of the Walker Road.

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*Schedule "B"*

By-law Number 358 of the Township of Sandwich East.

Agreement, May 28th, 1906, between Globe Furniture Co., Ltd., and The Walkerville Water Company Limited.

By-law Number 242 of the Town of Walkerville.

Pipe Line Agreement between Pere Marquette Railroad Company and H. E. Walker and P. H. King, its Receivers, dated May 18th, 1915.

Agreement, December 15th, 1915, between Walkerville Water Company Limited and Municipal Corporation of the Town of Walkerville.

Agreement, February 15th, 1917, between Hiram Walker & Sons Limited and The Walkerville Water Company Limited.

Letter, October 15th, 1917, from The Walkerville Water Company Limited to Bell Telephone Company of Canada.

Agreement, February 14th, 1919, between E. J. Dunn of Elmira to The Walkerville Water Company Limited.

Indenture, January 31st, 1921, between Commonwealth Chemical Company Limited to The Walkerville Water Company Limited.

Indenture, January 31st, 1921, between The Walkerville Land and Building Company Limited and The Walkerville Water Company Limited.

Agreement of May 27th, 1925, between The Walkerville Water Company Limited and Ford Motor Company of Canada Limited.

Agreement,

Agreement, of October 24th, 1921, between the Town of Riverside and The Walkerville Water Company Limited.

Agreement, May 29th, 1923, between The Walkerville Water Company Limited and the Town of Ford City.

Agreement, September 11th, 1924, between The Walkerville Water Company Limited and Sandwich East.

Agreement, June 1st, 1926, between Hiram Walker & Sons Limited and The Walkerville Water Company Limited.

Agreement, December 4th, 1926, between William Stone and The Walkerville Water Company Limited.

Agreement, May 26th, 1927, between The Walkerville Water Company Limited and Sandwich East.

Agreement, June 9th, 1927, between The Walkerville Water Company Limited and Sandwich East.

Agreement, March 17th, 1928, between General Motors of Canada Limited and The Walkerville Water Company Limited.

Agreement, February 3rd, 1921, between Western Racing Association and The Walkerville Water Company Limited.

Lease of house, 575 Walker Road, January 7th, 1926, tenant, Fred Martin.

Letter, July 24th, 1928, to J. Clark Keith, Walkerville, ten and twelve inch main valves.

Deed of Land, 575 Walker Road, December 31st, 1927.

Order-in-Council *re* water rates, By-law No. 35, March 31st, 1927.

Agreement, October 9th, 1924, Frank D. Riberdy, *et al* and The Walkerville Water Company Limited.

Agreement, March 21st, 1927, Ford City and The Walkerville Water Company Limited.

Agreement, dated June 1st, 1906, between Luke Montreuil and The Walkerville Water Company Limited.

Extracts from Agreement of Sale between The Walkerville Land and Building Company Limited and F. Villeneuve, Wm. Woollatt & Sons Limited and Trussed Concrete Steel Company of Canada Limited, dated December 27th, 1912, January 7th, 1913 and February 18th, 1913 respectively.

Record of Easement for ten-inch main, Chrysler property, Ypres Avenue, dated December 5th, 1928.

Agreement, June 25th, 1928, Hiram Walker & Sons Limited, water main, Argyle Road.

Pere Marquette Railway Crossing, under right-of-way, Ypres Avenue, dated March 7th, 1929.

Agreement, April 11th, 1929, The Union Natural Gas Company of Canada Limited and The Walkerville Water Company Limited.

Agreement, October 7th, 1929, Pere Marquette Railway Company *re* crossing, Tecumseh Road, twelve-inch main.

Agreement, October 19th, 1929, Pere Marquette Railway Company *re* crossing sixteen-inch main, Huron Street and twenty-inch main, Walker Road.

Agreement, October 11th, 1929, Canadian National Railway *re* crossing twenty-inch main, Walker Road.

Letter, August 6th, 1929, Essex Terminal Railway *re* crossing of sixteen-inch main, St. Luke Road.

## CHAPTER 108.

## An Act respecting the Village of Windermere.

*Assented to 3rd April, 1930.*

**W**HEREAS the corporation of the village of Windermere Preamble.  
has by petition represented that it is desirable and necessary in the interests and growth of the said village, that the boundaries of the said village be extended to include that certain area being a part of the municipal corporation of the township of Watt, in the District of Muskoka, as is hereinafter described; and whereas the said corporation of the said village by the said petition, has prayed that an Act be passed extending the boundaries of the village as in the petition set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consen<sup>t</sup>s of the Legislative Assembly of the Province of Ontario, enact as follows:—

1. That part of the township of Watt in the District of Muskoka described as follows,— Annexation of certain lands to village.

Lot No. 28 in the seventh concession of the said township;

The northerly half of the original road allowance between concessions six and seven in front of the said Lot No. 28;

The original road allowance along the shore of Lake Rosseau in front of the said Lot No. 28;

That portion of the lands covered by the waters of Lake Rosseau lying in front of the said Lot No. 28 and within 200 feet of the shore-line of the said lake;

Islands "F" and "G" in Lake Rosseau in the said township of Watt;

Those portions of the lands covered by the waters of Lake Rosseau lying within 200 feet of each of the said Islands;

is hereby detached from the said township and annexed to the village of Windermere.

Adjustment  
of assets and  
liabilities,  
Rev. Stat.,  
c. 233.

**2.** There shall be an adjustment of assets and liabilities between the said township and village as provided by section 38 of *The Municipal Act*.

Commence-  
ment of Act.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 109.

## An Act respecting the Township of York.

*Assented to 3rd April, 1930.*

**W**HEREAS the corporation of the township of York has Preamble.  
 by its petition prayed for special legislation in regard  
 to the matters hereinafter set forth; and whereas it is expedient  
 to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and  
 consent of the Legislative Assembly of the Province of  
 Ontario, enacts as follows:—

**1.** This Act may be cited as *The Township of York Act*, Short title.  
 1930.

**2.** The council of the corporation of the township of York Power to remove tracks, etc., on Lambton Line—  
 may take up, remove and dispose of the tracks, ties, poles,  
 wires, and other equipment of the electric railway on Dundas  
 Street known as the Lambton line without affecting the liability for rate not affected.  
 liability for payment of the special rates imposed under  
 by-law number 8665 of the township of York and without  
 affecting the franchise owned by the said corporation of the  
 township of York for the operation of the said electric railway  
 which franchise rights shall be and remain vested in the  
 corporation of the township of York.

**3.—(1)** The agreement made between the corporation of Agreement with Tretheway, et al, re assessment of cost of subway.  
 the township of York, the corporation of the township of  
 North York, F. L. Tretheway, *et al*, Ferranti Electric Limited,  
 and the Dominion Bridge Company, Limited, dated the 16th  
 day of December, 1929, and set out in schedule "A" hereto is  
 hereby confirmed and declared to be legal, valid and binding  
 upon all the parties to the said agreement.

**(2)** The council of the corporation of the township of York Exercise of powers under agreement.  
 and the council of the corporation of the township of North  
 York are authorized to exercise the rights, powers and  
 privileges respectively conferred upon them under the pro-  
 visions of the said agreement.

Collection  
of special  
rates.

(3) The council of the township of York and the council of the township of North York shall collect the special rates imposed pursuant to the said agreement upon lands in the township of York and in the township of North York respectively at the same time and in the same manner as other rates, and the provisions of *The Assessment Act* as to the collection and recovery of taxes and the proceedings which may be taken in default of payment thereof shall apply to the special assessments made for the purpose of paying for the cost of the subway referred to in the said agreement and to the special rates imposed for the payment of said special assessment.

Apportion-  
ment of  
school  
moneys  
derived from  
sale of clergy  
reserves.

4.—(1) The fund referred to in section 10 of chapter 91, 62 Victoria (1899) together with accumulated interest thereon now in the hands of the treasurer of the corporation of the township of York shall be divided among the following municipalities in the proportions set opposite their respective names, namely:

The township of York.....42.567 per cent.

The township of North York.....22.919 per cent.

The township of East York.....22.083 per cent.

The village of Forest Hill..... 8.278 per cent.

The village of Swansea..... 4.153 per cent.

Application  
of moneys  
apportioned.

(2) The said fund when so divided shall be applied by the council of each of the said municipalities in reduction of the amount to be levied for the support of public schools in the said municipalities, provided however, that in such of the said municipalities as are divided into public school sections the amount may be apportioned among the said sections by the council in such proportions and such amounts as it may determine.

1929, c. 128,  
amended.

5.—(1) Section 7 of *The Township of York Act, 1929*, is amended by striking out the words "special rate in the dollar on all the rateable real property in such district or section" where they appear in the fourteenth and fifteenth lines of subsection 2 of the said section and by inserting in lieu thereof the words "special rate per acre on all the lands in such districts or sections," and by adding the following as subsection 4 to the said section 7:

Power  
of Court of  
Revision.

(4) The court of revision for the hearing of complaints against the special assessment to meet the portion

of the cost of the work proposed to be assessed and levied by a special rate per acre on all the lands in any district or section shall have jurisdiction and power to review the proposed special assessment and to reduce, cancel or otherwise correct the same where any of the lands in any such district or section are wholly or in part unfit for building purposes or where for any other reason such proposed special assessment is deemed inequitable or unjust. The amount of any such reduction or cancellation shall not be charged against the lands to be specially assessed but shall be paid by the corporation.

(2) Subsection 1 of this section shall be deemed to have been in force on and from the 28th day of March, 1929. Subsection 1 retroactive.

(3) By-law number 10483 of the municipal corporation of the township of York passed on the 10th day of February, 1930, to authorize the construction of a subway across the right-of-way and under the tracks of the Canadian Pacific Railway Company and the Canadian National Railway Company at Ray Avenue is hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof and upon the lands liable for any rate or assessment to be levied and assessed under the provisions of the said by-law. By-law No. 10483, confirmed.

6. Subsection 1 of section 5 of *An Act respecting the Township of York* passed in 1926 and chaptered 108 is amended by striking out all the words after the word "without" in the fifth line of the said subsection and inserting in lieu thereof the words: 1926, c. 108, s. 5, subs. 1, amended.

"the assent of the municipal electors of the said township entitled to vote on money by-laws obtained on the submission of a question for that purpose in conformity with the provisions of *The Municipal Act*."

7. Section 3 of *An Act respecting the Township of York* passed in 1926 and chaptered 108 is amended by striking out the figures "\$3,000" where they appear in the seventh line of the said section and inserting in lieu thereof the figures "\$5,000." 1926, c. 108, s. 3, amended.

8.—(1) All sales of land within the township of York made prior to the 31st day of December, 1928, which purport to have been made by the corporation of the said township or by its treasurer for arrears of taxes in respect to the lands so sold are hereby validated and confirmed and all conveyances of land so sold, executed by the reeve and treasurer of the said

township of York, purporting to convey the said lands so sold to the purchaser thereof or his assigns or to the said corporation shall have the effect of vesting the lands so sold or conveyed or purporting to be sold or conveyed to the purchaser thereof or his assigns or to the said corporation and its successors and assigns as the case may be in fee simple and clear of and free from all right, title and interest whatsoever of the owner or owners thereof at the time of such sale or his, her or their assigns and all charges and encumbrances thereon and dower therein except taxes accrued or accruing after those for non-payment of which the said lands were sold.

Pending  
litigation  
not affected.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under pending litigation.

1922, c. 139,  
s. 2 (1926,  
c. 108, s. 2),  
amended.

9. Section 2 of *An Act respecting the Township of York* passed in 1922 and chaptered 139, as amended by section 2 of *An Act respecting the Township of York* passed in 1926 and chaptered 108, is further amended by adding thereto the following subsection:

Board  
of trustees  
in combined  
areas.

(7) Where any defined sections or areas are combined into one section or area the council may by by-law provide that the board of trustees in such combined section or area shall consist of five members.

Power to  
pass by-laws.

10.—(1) The council of the township of York may pass by-laws for any of the following purposes, namely:

Establish-  
ing fire  
department.

(a) For the establishing of a fire department in the township of York.

Firemen.

(b) For appointing, insuring and paying fire chiefs, fire wardens, fire engineers, firemen and others employed in connection with the fire halls.

Hook  
and ladder  
companies.

(c) For promoting, establishing and regulating fire, hook and ladder and property saving companies.

To repeal  
By-law  
No. 7249.

(d) To repeal by-law number 7249 as amended providing for the election of a board of trustees for each of the fire districts or areas of the municipality and to provide that upon the coming into force of such repealing by-law the boards of trustees in each of the fire districts or areas shall be dissolved and cease to exist and the fire halls, apparatus and equipment in each of the said areas shall thereafter be administered by the council of the township of York for the benefit of the municipality at large.

(e)



- (e) For purchasing or otherwise acquiring land for and erecting thereon fire halls and for purchasing and installing fire engines, hydrants, apparatus, appliances and equipment for fire protection and for the issue of debentures therefor payable in equal instalments of principal and interest.
- Purchase of lands and apparatus for fire halls; issue of debentures.

(2) Where the amount of the debentures is for the purpose of paying for the cost of the acquisition of land or the erection of fire halls the debentures shall be made payable within a period of not more than twenty years from the time when the debentures are issued and where the amount is for any other purpose mentioned in subsection 1 the period shall be not more than ten years. It shall not be necessary to obtain the assent of the electors to any debenture by-law where the amount to be raised does not exceed \$25,000 if the by-law is passed by the vote of two-thirds of all the members of the council.

Term of debentures.

(3) No by-law shall be passed under the authority conferred by clauses (a) and (d) of subsection 1 hereof until the council shall have first submitted to the electors of the township the following question: "Are you in favour of the establishing of a fire department in the township of York?" and unless the majority of the electors voting shall have voted in the affirmative on the said question.

Assent of electors required.

**11.** By-law number 10022 of the municipal corporation of the township of York passed on the 25th day of February, 1929, to provide for the borrowing of \$42,984.60 by the issue of debentures to pay for certain street widenings and street extensions and the debentures issued or to be issued thereunder are hereby declared legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law No. 10022, confirmed.

**12.** By-law number 10029 of the municipal corporation of the township of York passed on the 11th day of March, 1929, to provide for the borrowing of \$41,419.32 by the issue of debentures to pay for the construction of watermains in Waterworks Section A and the debentures issued or to be issued thereunder are hereby declared legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law No. 10029, confirmed.

**13.** By-law number 10046 of the municipal corporation of the township of York passed on the 19th day of March, 1929, to provide for the borrowing of \$5,769.07 by the issue of debentures to pay for the cost of construction of service watermains in Waterworks Section B and the debentures issued or to be issued thereunder are hereby declared legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law No. 10046, confirmed.

By-law  
No. 10462,  
confirmed.

**14.** By-law number 10462 of the municipal corporation of the township of York passed on the 4th day of February, 1930, to provide for the borrowing of \$54,000 by the issue of debentures to pay for the township's portion of the cost of the Dundas Street high level bridge and approaches thereto and the debentures issued or to be issued thereunder are hereby declared legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law  
No. 10225,  
confirmed.

**15.** By-law number 10225 of the municipal corporation of the township of York passed on the 8th day of July, 1929, as amended by by-law number 10482 passed on the 6th day of February, 1930, to authorize the construction of a service sewer in Holland Park Avenue from Glenholme Avenue westerly to Lauder Avenue an approximate distance of 350 feet as a local in St. Clair Sewerage Area No. 2 is hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Commence-  
ment of  
Act.

**16.** The provisions of this Act other than section 11 shall come into force on the day upon which it receives the Royal Assent. Section 11 shall come into force on July 1st, 1930.

## SCHEDULE "A"

Memorandum of Agreement made this 16th day of December, 1929.

BETWEEN:

THE CORPORATION OF THE TOWNSHIP OF YORK, hereinafter called "York,"

of the first part;

—and—

THE CORPORATION OF THE TOWNSHIP OF NORTH YORK, hereinafter called "North York,"

of the second part;

—and—

CHARLOTTE HELEN TRETHEWAY, of the City of Toronto, in the County of York, Widow; FRANK LINCE TRETHEWAY, of the Township of York, in the County of York; WILLIAM BERTRAM TRETHEWAY, of Hayward's Heath, Surrey, England, and RUTH OGLE SECORD, of the City of Toronto, in the County of York, Married Woman, the Executors and Trustees of the Estate of William Griffith Tretheway, late of the City of Toronto, in the County of York, deceased, and THE DOMINION BRIDGE COMPANY, LIMITED and FERRANTI ELECTRIC LIMITED, hereinafter called "the Parties,"

of the third part.

Whereas the Council of the Corporation of the Township of York has by By-law No. 10042 passed by a vote of two-thirds of all the Members on the 18th day of March, 1929, determined to proceed with the following work under the provisions of Section 8 of *The Local Improvement Act, 1927*, as amended and as authorized by *The Township of York Act, 1929*, being Section 7 of Chapter 128, Statutes of Ontario, 19 Geo. V, that is to say:

"The construction of a subway with the necessary retaining walls structures and approaches thereto as are necessary to render the said subway complete across the right-of-way and under the tracks of the Canadian Pacific and Canadian National Railways opposite Ray Avenue in the Township of York."

And whereas the estimated cost of the said work is \$185,000, which amount is to be raised by the issue of debentures issued on the instalment plan repayable in thirty years;

And whereas twenty-five per cent. of the cost of the work is to be paid by the Corporation at large of the Township of York while the remainder of the cost of the work is to be raised by assessing one per cent. of the cost against the abutting property and seventy-four per cent. of the cost of the work against non-abutting property benefiting thereby;

And whereas part of the non-abutting property benefiting by the said work consists of lands situate in the adjoining municipality of the Township of North York which said lands containing 88.8 acres more or less are described in Schedule I attached thereto which said Schedule I forms part of this agreement;

And whereas the parties of the Third Part are the owners of the said lands described in Schedule I hereto and have consented to the assessment of thirty per cent. of the cost of the said work against the said lands described in Schedule I hereto as attested by their signatures hereto.

And whereas the Township of North York has further agreed to the assessment of the said lands described in Schedule I with thirty per cent. of the cost of the said work upon the terms and conditions herein contained;

Now

Now therefore this agreement witnesseth as follows:

1. That upon the completion of the construction of the said work by York and the actual cost ascertained a special assessment roll of the land within York benefited by the said work and of the land described in Schedule I hereto in North York benefited by the said work shall be duly made and certified by the proper officers of York.

2. That the Court of Revision of the Township of York shall hear all appeals against the special rate imposed to pay for the cost of work notwithstanding that part of the land assessed is situated in the Township of North York.

3. That York will pass a by-law providing for the issue of debentures to pay for the whole cost of the work chargeable against the land benefited thereby and providing for the levy and collection in each municipality of the rates necessary to meet the debentures and interest thereon as they respectively fall due, which said by-law shall provide that thirty per cent. of the amount of such debentures shall be charged against that district in the Township of North York described in Schedule I attached hereto and shall be assessed and levied by a special rate on all the rateable real property in the amounts and the proportions which may be certified as correct by the Clerk of the Township of York after the holding of the Court of Revision in respect of such work and the settlement of appeals, if any, but no portion of the cost of such work shall be paid by North York at large.

4. The Township of North York covenants with York that it will in each and every year as may be designated by by-law of York collect the special rate which may be charged against that district in the Township of North York described in Schedule I hereto and will pay the full amount of such rates to York forthwith after the 14th day of December in each year during which rates are required to be collected pursuant to the said by-law and North York further covenants that it will pay the full amount in each year for which the said lands described in Schedule I hereto may be liable in respect of the cost of the said work as the same shall fall due in each year whether or not the rates imposed therefor have been collected from the persons liable to pay them.

5. York hereby covenants and agrees with North York that it will from time to time upon the request and at the expense of North York enter into an agreement or agreements from time to time granting permission to North York to connect the sewers of North York draining sanitary sewage only from the drainage area in which the lands described in Schedule II attached hereto are situate or any part of such area as an outlet for the said sanitary sewage which said agreements shall provide that North York shall pay to York annually for such outlet privilege over a period of ten years commencing at the date thereof a sum computed at the rate of thirty cents per foot frontage and shall also pay to York annually for maintenance so long as such sewers remain connected with the sewers of York, an additional sum computed at the rate of sixteen cents per foot frontage. The frontage upon which the outlet and maintenance charges are to be based as above shall be the land on each side of the sewer or sewers in the said district described in Schedule II hereto or part thereof which are or may be connected either directly or indirectly with the sewers of York under the provisions of any such agreement. Any such agreement shall further contain the usual covenants, provisoes and agreements which are contained in similar agreements entered into between York and the City of Toronto providing for sewer connections between such municipalities. Sanitary sewage for the purpose of this agreement shall not include any rain or storm water.

6. Any dispute arising out of or in connection with this agreement shall be referred to the Ontario Railway and Municipal Board whose decision shall be final.

7. The parties hereto of the Third Part, the owners of the lands described in Schedule I hereby consent to the assessment of thirty per cent. of the cost of the said work against the said lands.

8. This agreement shall not come into force or effect unless or until it shall have been validated by the Legislature of the Province of Ontario at the next Session thereof.

9. York shall submit this agreement for validation at the next Session of the Legislature of the Province of Ontario at its own expense and North York agrees to give its approval and consent to such validation. The special legislation applied for shall be in a form satisfactory to North York and in addition to validating this agreement shall authorize North York to collect the special rates imposed on the lands described in Schedule I in the same manner as other rates and taxes.

10. This agreement shall be binding upon and enure to the benefit of the parties hereto, their successors and assigns.

In witness whereof this agreement has been executed the day and year first above written.

SIGNED, SEALED AND DELIVERED:

in the presence of

Witness as to the signatures of the  
Executors of W. G. Tretheway  
Estate:

"S. W. BLACK."

"E. CASBOURNE."

"ERNEST G. WESTBURY," *Reeve.*  
[SEAL]

"W. A. CLARKE, *Clerk.*

"C. H. TRETHEWAY."

"F. L. TRETHEWAY."

"RUTH O. SECORD."

"W. B. TRETHEWAY," by his  
Attorney, F. L. Tretheway.

FERRANTI ELECTRIC COMPANY,  
[SEAL]

"GEO. C. ROYCE," *President.*

"F. W. ROWNTREE," *Secretary.*

DOMINION BRIDGE COMPANY, LIMITED,  
[SEAL]

"G. H. DUGGAN," *President.*

"F. W. EVENS," *Secretary.*

THE TOWNSHIP OF NORTH YORK,  
[SEAL]

"JAS. MUIRHEAD," *Reeve.*

"H. D. GOODE," *Clerk.*

### *Schedule I.*

Lands in the Township of North York against which it is proposed to assess a portion of the cost of the Ray Avenue Subway. Part of Township Lots 3 and 4, Concession 4, west of Yonge Street, owned by Ferranti Electric Company Limited, Dominion Bridge Company Limited and Tretheway Estate.

All and singular those certain parcels or tracts of lands and premises situate lying and being in the Township of North York, County of York and Province of Ontario, and being composed of:

FERRANTI ELECTRIC COMPANY LIMITED

*Firstly:* Part of Township Lot Number Three in the Fourth Concession, west of Yonge Street in the Township of North York, containing

five

five and seventy-eight one-hundredths acres (5.78/100 acres) and which said parcel as shown tinted in pink on the accompanying plan, may be more particularly described as follows: Commencing where an iron bar has been planted to mark the westerly angle of Block B, Registered Plan 2562, in the Township of York, being a point in the southerly limit of said Township Lot Three, Concession Four, west of Yonge Street where it is intersected by the northerly limit of the right-of-way of the Canadian Pacific Railway; thence bearing north seventy-two degrees sixteen minutes (72° 16') east along the northerly limit of said Block B, being along the southerly limit of said Lot Three, six hundred and five feet three inches (605' 3") to an angle in the same; thence bearing north seventy-two degrees forty-five minutes (72° 45') east, continuing along said northerly limit of Block B, being along the southerly limit of said Township Lot Three, four hundred and eleven feet ten inches (411' 10") to a stake marking the northerly angle of the said Block; thence bearing north fifty-five degrees thirty-nine minutes (55° 39') west, six hundred and twenty-eight feet three inches (628' 3"); thence bearing south thirty-four degrees twenty-one minutes (34° 21') west, eight hundred feet (800') to the point of commencement.

#### DOMINION BRIDGE COMPANY, LIMITED

*Secondly:* Parts of Township Lots No. 3 and No. 4 in the Fourth Concession, west of Yonge Street in said Township containing 29.073 acres and which said parcel, as shown tinted in purple on the accompanying print, may be more particularly described as follows: Commencing where a stake has been planted in the westerly limit of said Township Lot No. 4, being the easterly limit of Jane Street, distant two hundred and six feet two and one-half inches (206' 2½") measured northerly along said limit of Jane Street from a stake planted in the existing limit between Township Lots No. 3 and No. 4; thence bearing south nine degrees forty-four minutes (9° 44') east along said easterly limit of Jane Street four hundred and fifty feet (450') to a stake planted in the existing northeasterly limit of the Canadian Pacific Railway right-of-way; thence bearing south fifty-five degrees thirty-nine minutes (55° 39') east along said limit of Canadian Pacific Railway right-of-way six hundred and forty-nine feet seven inches (649' 7") to a round iron bar planted; thence bearing south thirty-four degrees twenty-one minutes (34° 21') west continuing along said limit of right-of-way ten feet (10') to a stake planted; thence bearing south fifty-five degrees twenty-nine minutes (55° 29') east continuing along said limit of Railway right-of-way six hundred and ninety-eight feet eleven inches (698' 11") to a stake planted therein, distant thirty feet (30') measured northwesterly thereon from the northwesterly angle of Block B., Registered Plan No. 2562, York; thence bearing north thirty-four degrees twenty-one minutes (34° 21') east eight hundred feet (800') to a stake planted in the northwesterly production of the westerly limit of Industry Street, Plan No. 2562, York, distant six hundred and fifty-eight feet three inches (658' 3") measured northwesterly thereon from the northeasterly angle of Block B., Registered Plan No. 2562, York; thence bearing north fifty-five degrees thirty-nine minutes (55° 39') west continuing along said northwesterly production of said westerly limit of Industry Street sixteen hundred and sixty-one feet seven inches (1,661' 7") to a stake planted; thence bearing south thirty-four degrees twenty-one minutes (34° 21') west at right angles to said last mentioned limit four hundred and sixty-four feet four and three-quarters inches (464' 4¾") to the point of commencement.

#### TRETHERWAY ESTATE

*Thirdly:* Parts of Township Lots 3 and 4, Concession 4, west of Yonge Street in the said Township of North York containing fifty-three and ninety-five one-hundredths acres (53.95/100 acres) and which said parcel as shown tinted in green upon the accompanying plan may be more particularly described as follows: Commencing at a point in the easterly limit of Jane Street being the point of intersection with the northeasterly limit of the right-of-way of the Canadian Pacific Railway Company; thence southeasterly along the northeasterly limit of said right-of-way, to the point of intersection with the northerly limit of Township Lot 2, Concession 4,

west of Yonge, being the northerly limit of the Township of York; thence easterly along the northerly limit of said Township Lot 2 to the point of intersection with the southwesterly limit of Holmsted Drive; thence northwesterly along the several courses of the southwesterly limit of Holmsted Drive, to the point of intersection with the easterly limit of Jane Street; thence southerly along the easterly limit of Jane Street to the point of commencement, excepting and deleting therefrom the lands described in parts one and two hereinbefore described as well as Industry Street and the street thirty feet (30') in width separating the said parcels 1 and 2 which said streets are shown tinted in brown upon the accompanying plan.

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### *Schedule II.*

Referred to in and forming part of the agreement made between the Township of York, the Township of North York and Charlotte Helen Tretheway, *et al*, dated the 16th day of December, 1929, and comprising the area within the Township of North York from which provision is made for the draining of sanitary sewage.

All and singular that certain parcel or tract of land and premises situate lying and being in the Township of North York, in the County of York and Province of Ontario and being composed of parts of Township Lots 3 and 4 in the Fourth Concession, west of Yonge Street, which said parcel as shown outlined in pink upon the attached print contains by admeasurement two hundred and fifteen and seventy-seven one-hundredths acres (215 77/100 acres) more or less and may be more particularly described as follows: Commencing at the point of intersection of the south limit of the said Township Lot 3 with the northeast limit of the right-of-way of the Canadian Pacific Railway Company; thence northwesterly along the said northeast limit of the right-of-way of the Canadian Pacific Railway Company to a point in the east limit of Jane Street; thence northerly along the said east limit of Jane Street to the northwest angle of the said Township Lot 4; thence easterly along the north limit of the said Township Lot 4, a distance of three thousand six hundred feet (3,600'); thence southerly in a straight line to the point of intersection of the south limit of the said Township Lot 3 with the northeast limit of Tretheway Drive as dedicated by By-law No. 9964 of the Township of York; thence westerly along the south limit of the said Township Lot 3 to the point of commencement.



## CHAPTER 110.

## An Act respecting the Mount McKay and Kakabeka Falls Railway Company.

*Assented to 3rd April, 1930.*

## Preamble.

**W**HEREAS the Mount McKay and Kakabeka Falls Railway Company has by petition represented that the company was incorporated by an Act passed by the Legislature of the Province of Ontario, in the fourth year of the reign of His late Majesty King Edward the Seventh, chaptered 82, as amended by an Act passed in the eighth year of His late Majesty's reign, chaptered 131, and as further amended by an Act passed in the second year of the reign of His Majesty King George the Fifth, chaptered 143, and as further amended by an Act passed in the sixth year of the reign of His Majesty King George the Fifth, chaptered 104, and as further amended by an Act passed in the tenth year of the reign of His Majesty King George the Fifth, chaptered 151, and as further amended by an Act passed in the twelfth year of the reign of His Majesty King George the Fifth, chaptered 142, and as further amended by an Act passed in the sixteenth year of the reign of His Majesty King George the Fifth, chaptered 111, for the purpose of constructing and maintaining a railway to be operated by electricity, compressed air or other motive power, as set forth in the said Acts; and whereas by the Act passed in the sixteenth year of the reign of His Majesty King George the Fifth, chaptered 111, it was, among other things, provided that the said company might operate the said railway and any authorized extensions thereof by steam, for a period of four years from April 1st, 1926, except on Neebing Avenue, north of Montreal Street; and whereas it was, among other things, further provided by the said Act that the time for completion of the said railway be extended for a period of four years from the passing of the said last-mentioned Act; and whereas the said company has, by its petition prayed for an Act extending the time within which the said company may operate the said railway and any authorized extensions thereof by steam, for a further period of four years, except on Neebing Avenue, north of Montreal Street, and extending the time for completing the said railway for a further term of four years; and conferring

such



such other rights, powers and authorities as may be incidental to the above; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 1 of the Act passed in the sixteenth year of the reign of His Majesty King George the Fifth, chaptered 111, is repealed, and the following substituted therefor:—

1. Section 2 of the Act passed in the fourth year of the reign of His late Majesty King Edward the Seventh, chaptered 82, is amended by adding thereto the following words: "Provided that the said company may operate the said railway and any authorized extensions thereof by steam, for a period of four years from April 1st, 1930, except on Neebing Avenue, north of Montreal Street, but such right to operate by steam shall then absolutely cease."

2. Section 3 of the Act passed in the sixteenth year of the reign of His Majesty King George the Fifth, chaptered 111, is repealed.

3. Notwithstanding anything contained in *The Railway Act*, the railway authorized by the said Act, passed in the fourth year of the reign of His late Majesty King Edward the Seventh, chaptered 82, as amended by the Act passed in the eighth year of His late Majesty's reign, chaptered 131, and as further amended by the Act passed in the second year of the reign of His Majesty King George the Fifth, chaptered 143, and as further amended by the Act passed in the sixth year of the reign of His Majesty King George the Fifth, chaptered 104, and as further amended by an Act passed in the tenth year of the reign of His Majesty King George the Fifth, chaptered 151, and as further amended by an Act passed in the twelfth year of the reign of His Majesty King George the Fifth, chaptered 142, and as further amended by an Act passed in the sixteenth year of the reign of His Majesty King George the Fifth, chaptered 111, and by this Act, shall be completed within four years from the passing of this Act, and if the railway is not completed and put in operation within four years from the passing of this Act, then the powers granted to the company by the said Acts shall cease and be null and void as respects so much of the railway as then remains uncompleted.

4. Subject to the provisions of this Act, all rights, powers, authorities and privileges conferred upon the said company

by

Existing rights, powers and agreements not affected.

by the said Acts, or by any general Act, are hereby declared to be in force, and nothing in this Act contained shall in any way be deemed to affect any agreement heretofore entered into between the company and any municipal corporation or any other person or persons.

Short title.

**5.** This Act may be cited as *The Mount McKay and Kakabeka Falls Railway Act, 1930.*

Commence-  
ment of  
Act.

**6.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 111.

An Act to incorporate the Timber Products  
Railway.*Assented to 3rd April, 1930.*

**W**HEREAS Oliver B. Martin, General Manager, Timber Products Company, Limited; Harold L. McLurg, Sales Manager; B. Bloomfield Jordan, Barrister-at-Law; Pauline R. O'Connor, Secretary, and Olive J. O'Connor, Secretary, all of the town of Trenton, in the county of Hastings, in the Province of Ontario, have petitioned for an Act to incorporate a company for the purpose of constructing and maintaining a logging and freight railway, solely, to be operated by steam or electricity, or partly by one and partly by the other, from a point connecting with the Canadian National Railways at Gilmour Siding, in the county of Hastings, and from thence in an easterly direction over and through the timber limits operated by the Timber Products Company, Limited, in the townships of Tudor, Cashel, Abinger, Anglesea and Effingham; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. The said Oliver B. Martin, Harold L. McLurg, B. Bloomfield Jordan, Pauline R. O'Connor and Olive J. O'Connor, together with such other persons, firms and corporations as shall hereafter become shareholders of the said company, are hereby constituted a body corporate and politic, by the name of "Timber Products Railway," hereafter called the "company."

2. The company is authorized and empowered to survey, lay out, construct, complete, equip and maintain a railway for logging and freight purposes only to be operated by steam or electricity, or partly by one and partly by the other, from a point connecting with the Canadian National Railways at Gilmour Siding, in the county of Hastings, and from thence in an easterly direction over and through the timber limits

operated

operated by the Timber Products Company, Limited, in the townships of Tudor and Cashel, in the county of Hastings, and in the townships of Abinger, Anglesea and Effingham, in the united counties of Lennox and Addington.

Head office. **3.** The head office of the company shall be in the town of Trenton, in the county of Hastings.

Provisional directors. **4.** The said Oliver B. Martin, Harold L. McLurg, B. Bloomfield Jordan, Pauline R. O'Connor and Olive J. O'Connor shall be the provisional directors of the company.

Number of directors. **5.** The board of directors of the company shall consist of not less than three and not more than five persons.

Capital stock. **6.** The capital stock of the company shall be two hundred thousand dollars.

Bonds, debentures. **7.** The company may issue bonds, debentures or other securities to the extent of \$15,000 per mile of railway constructed or under contract to be constructed.

Running arrangements with other railways. **8.** Subject to the provisions of *The Railway Act*, the company shall have power to make traffic or running arrangements with the Canadian National Railways, the Canadian Pacific Railway Company, or any other railway or transportation railway, upon such terms as may be agreed upon.

Application of Rev. Stat. c. 224. **9.** The provisions of *The Railway Act*, with the exception of sections 12; 68 to 79 inclusive; 92, subsections (2) to (8) inclusive; 93, 116, 117, 144, 145, 146, 147, 160, 161, 174, 197, 198, 199, 204, 210, 212, shall apply to the company and to the railway constructed, or to be constructed, by it.

Short title. **10.** This Act may be cited as *The Timber Products Railway Act, 1930*.

Commencement of Act. **11.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 112.

An Act to incorporate the Canada Conference  
Evangelical Church.*Assented to 3rd April, 1930.*

**W**HEREAS Samuel P. Spreng, of the city of Naperville, <sup>Preamble,</sup> in the state of Illinois; Samuel R. Knechtel, of the village of St. Jacobs, in the county of Waterloo, and William O. Hayne, of the town of Pembroke, in the county of Renfrew, the president, treasurer and secretary, respectively, of The Canada Conference Evangelical Church have by their petition represented that The Canada Conference Evangelical Church has been carrying on church work in the Province of Ontario from the year 1837 until the year 1922 under the name of "Canada Conference Evangelical Association" and since the year 1922 under the name of "Canada Conference Evangelical Church" in accordance with the doctrines and discipline of the said church and is now carrying on church work in this province; and whereas the Canada Conference Evangelical Church desires to form a corporation under the name of "Canada Conference Evangelical Church" for the purpose of administering in Ontario the property, business and other temporal affairs of the said Canada Conference Evangelical Church and has prayed that an Act be passed to enact as hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Samuel P. Spreng, of the city of Naperville, in the State of Illinois, and Samuel R. Knechtel, of the village of Saint Jacobs, in the county of Waterloo, and William O. Hayne, of the town of Pembroke, in the county of Renfrew, the president, treasurer and secretary respectively of the Canada Conference Evangelical Church by virtue of their respective offices above mentioned and their successors in the said office, together with all the qualified voters from time to time of the said Canada Conference Evangelical Church are hereby incorporated under the name of "Canada Conference Evangelical Church" hereinafter called "the Corporation" for the purpose of administering in this Province the property,

business

business and other temporal affairs of the said Canada Conference Evangelical Church and for the other purposes hereinafter set forth.

Head office.

**2.** The head office of the Corporation shall be in the city of Kitchener in the Province of Ontario or in such other place in Ontario as may from time to time be designated by by-law of the Corporation.

Objects of corporation.

**3.** The objects of the Corporation shall be the maintenance and carrying on of charities or missions, erection, maintenance and conduct of churches, cemeteries, schools, colleges, orphanages and hospitals, printing and publishing establishments and a home or homes for any person or persons in the Province of Ontario, the advancement in other ways of education, religion, charity and benevolence and to administer the property, business and other temporal affairs of the said Canada Conference Evangelical Church.

Provisional directors.

**4.** The said Samuel P. Spreng, Samuel R. Knechtel, and William O. Hayne by virtue of their said offices of president, treasurer and secretary respectively of the Canada Conference Evangelical Church or their successors in office shall be the provisional directors of the Corporation and until the Corporation in general meeting otherwise provides, shall exercise all the powers and functions of the Corporation.

Directors.

**5.** The directors of the Corporation shall consist of a president, a treasurer and a secretary, together with not less than two and not more than eighteen to be elected from amongst the members of the Corporation.

By-laws.

**6.** The Corporation may, from time to time, make by-laws not contrary to law or inconsistent with this Act, for,—

- (a) the appointment of a board of directors for the administration, management and control of the property, business and other temporal affairs of the Corporation;
- (b) the appointment, functions, duties and remuneration of all officers, agents and servants of the Corporation;
- (c) the appointment of committees and defining their duties;
- (d) the calling of meetings, regular or special, of the Corporation or of committees;

(e)

(e) the fixing of the necessary quorum and procedure in all things at such meetings;

(f) generally, the carrying out of the objects and purposes of the Corporation.

7.—(1) The Corporation shall have power to acquire <sup>Power to acquire and hold property.</sup> by purchase, lease, gift, devise or bequest any real or personal property or any estate or interest therein, either absolutely or in trust, and to sell, transfer, exchange, mortgage, hypothecate, lease or otherwise dispose of the same or any part thereof, and to give, grant, convey, lease or otherwise alienate any property, real or personal, to any other church or religious body or organization, or to any board, committee, trustees or governing body thereof as it may deem expedient in pursuance of any agreement or understanding with such church or religious body or organization for the purpose of co-operation in the prosecution of religious work. Provided always that no land at any time acquired by the Corporation, and not required for its actual use and occupation, or by way of security for the payment of any loan, debt or guarantee, shall be held by it, or by any trustee on its behalf, for a longer period than ten years after it shall have ceased to be so required, but this proviso shall not be deemed in anywise to vary or otherwise affect any trust relating to such property.

(2) The power conferred upon the Corporation by this <sup>Statutes of Mortmain.</sup> Act to acquire by gift, devise or bequest any real or personal property shall not be limited or affected by any Statute or Statutes of Mortmain in force in this province.

8. The Corporation may issue debentures in such denominations and upon such terms as it may deem expedient, under the hand or hands of such officer or officers as may be thereto authorized and the seal of the Corporation, for any money borrowed under the authority of this Act, and the payment of such debentures and the interest thereon may be secured by mortgage in favour of a trustee or trustees for the holders of such debentures upon any real estate in this Province under the control of the Corporation or of such board or committee thereof or of the trustees of such congregation. <sup>Issues of debentures.</sup>

9. The Corporation may also invest and reinvest any of <sup>Investment of funds.</sup> its funds and money upon any securities authorized by *The Trustee Act* with liberty to vary and transpose the same from time to time. <sup>Rev. Stat. c. 150.</sup>

10. The Corporation may make a gift of or loan any of <sup>Gifts, loans, etc.</sup> its property whether real or personal for or to assist in the

erection or maintenance of any building or buildings deemed necessary for any church, college, parsonage, school or hospital or for any other religious, charitable, educational, congregational or social purpose upon such terms and upon such conditions as it may deem expedient.

Borrowing  
powers.

**11.**—(1) The Corporation may, from time to time, for the purposes of the Corporation,—

- (a) borrow money upon the credit of the Corporation;
- (b) make, draw, accept, endorse or become party to promissory notes and bills of exchange; but it shall not be necessary to have the seal of the Corporation affixed to any such note or bill;
- (c) mortgage, hypothecate or pledge any property of the Corporation, real or personal, to secure the repayment of any money borrowed for the purposes of the Corporation.

(2) Nothing in this section shall be construed to authorize the Corporation to issue any note or bill payable to bearer thereof, or any promissory note intended to be circulated as money or as the note or bill of a bank, or to engage in the business of banking or insurance.

General  
property  
vested in  
Evangelical  
Church.

**12.** All property, real and personal, within this Province belonging to or held in trust for or to the use of the Canada Conference Evangelical Church, or belonging to or held in trust for or to the use of any corporation, board, committee or other body, whether incorporated or unincorporated, created by or under the government or control of, or in connection with said church shall upon the coming into force of this Act be vested in the Corporation, to be held, used and administered by the Corporation or disposed of as may be provided by any by-law, rule or regulation made from time to time by the Corporation.

Property  
of congregations.

**13.** All property, real and personal, within this Province, belonging to or held by or in trust for or to the use of any congregation of the Canada Conference Evangelical Church, shall from and after the coming into force of this Act be held, used and administered for the benefit of the same congregation as a part of the Corporation in the manner and upon the trusts and subject to the terms and provisions set forth in schedule "A" to this Act and all property, real and personal, within this Province, thereafter acquired for or belonging to or held by or in trust for or to the use of any congregation of the Corporation shall be held, used and administered for



the benefit of the said congregation as a part of the Corporation upon the said trusts and subject to the said terms and provisions. Provided that any property, real or personal, held at the time of the coming into force of this Act or thereafter acquired by devise, bequest, transfer or gift, in trust for any special use of any congregation, shall be held, used and administered in accordance with the special trusts so declared in respect thereof, not being contrary to law or to any by-law, rule or regulation of the Corporation, and that in the event of failure or partial failure of any of the said trusts, the said property, in the absence of any express provision for such event, may be held, used, administered or disposed of as may be provided by any by-law, rule or regulation made from time to time by the Corporation.

**14.** In any deed, conveyance or transfer to trustees upon the trusts set forth in schedule "A" the form of words contained in Column 1 of said schedule "A" and distinguished by any number therein, shall have the same effect as if it contained the form of words in column 2 of said schedule "A," distinguished by the same number as is annexed to the form of words used in such deed, conveyance or transfer, but it shall not be necessary in any such deed, conveyance or transfer to insert any such number. Short form of trust deed.

**15.—(a)** When any Master of Titles or Local Master of Titles in this Province is satisfied by any evidence he may require that any real property standing in the name of any individual or individuals, whether such persons or any of them be deceased or not, actually belongs to or is held in trust for or to the use of any congregation upon the trusts mentioned in section 12 of this Act, he may cancel the entry in the register of such individual or individuals as owners and may enter the names of the then trustees of such congregation as owners to hold the same in accordance with the provisions of the said section. A certificate of the secretary or the treasurer of the congregation within the bounds of which such property is situate, together with an affidavit of the minister in charge of such congregation to the effect that such property belongs to or is held in trust for or to the use of such congregation, shall be accepted by such Master of Titles or Local Master of Titles as *prima facie* evidence. No proof shall be required of the handwriting or official position of any person certifying pursuant to the provisions of this section. New Certificates of title in name of trustees.

(b) All deeds, transfers, mortgages, leases or other assurances of any land in this Province heretofore or hereafter executed and purporting to be signed by the trustees of any congregation in section 12 mentioned, or a majority of them,

shall

shall be in all courts in this Province, and in all registry offices and in all land titles offices of this Province, deemed sufficiently executed to pass or grant or mortgage or lease (as the case may be) the estate or interest thereby purported to be passed, granted, mortgaged or leased; Provided that the minister in charge of such congregation shall by affidavit certify that the persons executing such instruments were at the date thereof all of the trustees for said congregation or a majority of them, and in the absence or want of appointment or inability to act of any minister, such certificate may with like effect be granted by the presiding officer, secretary or treasurer of the congregation within the bounds of which the said lands are situate. The signature of the said minister or presiding officer or secretary or treasurer shall be duly witnessed and verified by affidavit in the same manner as required by *The Registry Act* or *The Land Titles Act* as the case may be.

Rev. Stat.  
cc. 155, 158.

(c) In registering any instrument under *The Registry Act* which sets out or refers to the trusts contained in schedule "A" to this Act, it shall not be necessary to register the said trusts in full but the registrar shall enter a note or memorandum upon the record of title of each lot or parcel of land affected thereby, giving the title and chapter of the Act of Incorporation and the date of the passing thereof and stating that such land is subject to the trusts thereby created.

(d) If the lands affected by the said trusts are registered under *The Land Titles Act*, it shall not be necessary to set out the said trusts in any transfer or in the register of said lands, provided, however, that the Master of Titles or Local Master of Titles shall, upon receiving notice from the presiding officer, secretary or treasurer of the congregation within the bounds of which the said lands may be situate that such lands are affected by this Act, enter a note or memorandum upon such register giving the title and chapter of this Act and the date of the passing thereof upon the record of title of each lot and parcel of land affected thereby and stating that such lands are subject to the said trusts.

Effect of  
general  
legislation  
as to  
religious  
societies.

**16.** The provisions of any general Act respecting the property of religious societies, congregations, or institutions in force in this Province, shall, when not inconsistent with the provisions of this Act, be construed as supplementary thereto.

Solemniza-  
tion of  
marriage.

**17.** Every duly ordained or appointed minister or clergyman of the Corporation, and every minister or clergyman, whether in charge of a congregation or not, including every such person who has been superannuated by or placed on the superannuation or supernumerary list of, or is a retired

minister

minister or clergyman in good standing of the Canada Conference Evangelical Church, duly ordained or appointed according to the rites and ceremonies of said church or by the rules thereof deemed and recognized as duly ordained or appointed by virtue of any prior ordination shall have the right to solemnize marriage in this Province.

**18.** Any deed or other instrument relating to the real estate vested in the Corporation or to any interest in such real estate shall for all purposes be deemed to be duly executed if there are affixed thereto the seal of the Corporation and the signature of any officer of the Corporation duly authorized for such purposes or his lawful attorney. <sup>Execution of deeds.</sup>

**19.** This Act shall come into force on the day upon which it receives the Royal assent. <sup>Commencement of Act.</sup>

## SCHEDULE "A"

## TRUSTS OF MODEL DEED.

AND it is hereby declared that the said Trustees and their successors or the Trustee or Trustees for the time being acting in the trusts herein shall hold the said lands upon the following trusts:—

## COLUMN ONE.

1. Upon trust to use the trust property for purposes directed by congregation and maintenance of public worship.

2. To erect and repair buildings.

3. To obey all lawful orders and directions.

4. To permit use of the trust property for church, parsonage and Sunday-school purposes.

## COLUMN TWO

1. For the use and benefit of the said church, charge, mission, circuit, station or congregation, as the case may be (hereinafter called the congregation), as a part of the Canada Conference Evangelical Church, as well for the site of a church, chapel, meeting house, school, mission, parsonage or minister's dwelling or other place for religious, charitable, educational, congregational or social purposes, or burial ground, as the said congregation may direct, as for the support and maintenance of public worship, and the propagation of Christian knowledge, according to the doctrine, discipline, by-laws, rules and regulations of the Canada Conference Evangelical Church.

2. And upon further trust, out of all moneys received by them for that purpose, to build, erect, add to, alter, repair, enlarge or rebuild any of the buildings aforesaid from time to time as they may deem expedient, and where they deem it necessary, to take down and remove any of said buildings for any of the purposes aforesaid.

3. And upon further trust, that they shall and will obey, perform and fulfil and suffer to be obeyed, performed and fulfilled with respect to the said lands, and to any building or buildings at any time thereon, or to any burial ground, the lawful orders and directions respectively of the Official Board of the said congregation and of the Conference respectively.

4. And upon further trust, to permit, in conformity with the doctrines, discipline, by-laws, rules and regulations of the Canada Conference Evangelical Church and not otherwise, the following:—

(a) The use of the said church, chapel or meeting-house, as a place of religious worship by a congregation of the Canada Conference Evangelical Church and for meetings or services of religious or spiritual character or such benevolent or congregational purposes as may be approved by the Quarterly Conference of the charge wherein such church, chapel or meeting house shall be located and the conduct of public worship and the various services and ordinances of religious worship therein by the minister of the said congregation or, with the approval of the said Quarterly Conference or of the said minister, by any other minister of the Canada Conference Evangelical Church or by any minister of any other religious denomination.

(b)

(b) The performance of burial services in any burial ground or cemetery belonging to or under the control of the congregation;

(c) The use of the parsonage or minister's dwelling or dwellings with the appurtenances thereof by the minister or ministers of the congregation free from payment of any rent;

(d) The use of any church, chapel, meeting house, school or other building for the purposes of a Sunday school at such hours and times as will not interfere with public worship, and

(e) The use of any buildings erected upon the said lands, other than a church, chapel or meeting house, for such purposes as may from time to time be approved by the said Quarterly Conference.

5. To let and sell pews and burial plots and to let parsonages.

5. And upon further trust, to let any pews and seats at a reasonable rent, if so authorized by the Official Board of the congregation, with power to delegate any such letting to any person or persons whom they may appoint for that purpose; to let any buildings, not required for purposes of worship, at a reasonable rent; and if there shall be a burial ground or cemetery, to sell or let vaults, tombs or burial plots at a reasonable price or rent; and to account for and pay all moneys received in respect of any such letting or sale, less any expense incurred in the execution of these trusts, to the Treasurer of the congregation, or should there be no Treasurer, then to the Committee of Stewards of the congregation, or such person as shall be designated by the said Committee for the purpose of receiving the same. In case the Trustees are of opinion that any parsonage or minister's dwelling is not required for the use of the minister or ministers of the congregation, or is not desirable for the use of such minister or ministers, they may, with the consent in writing of said minister or ministers, let the same and use and apply the rent derived therefrom towards paying the board and lodging of such minister or ministers or the rent for a more suitable and convenient residence for such minister or ministers.

6. The trustees shall have power to sell, mortgage, exchange, or lease the trust property with the consent of the congregation.

6. The Trustees or a majority of them may, but only with the consent in writing of the congregation within the bounds of which the lands are situate (such consent to be under the hand of the presiding officer or secretary or treasurer thereof), sell the said lands or any part thereof either by public sale or private contract and either for cash or upon credit and upon such terms as to price and for such price and upon such terms as to payment or otherwise as they may deem expedient; mortgage, hypothecate or exchange the said lands or any part thereof; let any church, chapel or meeting-house upon the same for such rent and upon such terms as they may deem expedient; and make all such conveyances, mortgages, leases and assurances as may be required to complete any such sale, mortgage, hypothecation, exchange or lease. The said Trustees after first paying or otherwise providing for all indebtedness of the Trustees shall apply the moneys arising from such sale, mortgage, hypothecation, lease or exchange for the purposes of such congregation as the Official Board thereof shall direct, but should such congregation cease to exist as an organized body, such proceeds, less any

expense incurred in the execution of these trusts, shall be paid to the Canada Conference Evangelical Church to be applied for such purposes for the benefit of the Canada Conference Evangelical Church as the Conference may determine under the by-laws, rules and regulations of the Conference. Every application by Trustees for the consent of a congregation as aforesaid shall be in writing and shall state the purpose for which the moneys arising from such intended sale, mortgage, hypothecation, lease or exchange, will be applied. Any decision of a congregation with regard to the sale, mortgage, hypothecation, lease or exchange of the said lands or any part thereof shall be subject to appeal to the Conference at the instance of not fewer than any five members of the congregation affected thereby. In every case where the consent of such Conference has been obtained as aforesaid it shall not be incumbent upon the purchaser, mortgagee or lessee of the said lands or of any part thereof to enquire into the necessity, expediency or propriety of any such sale, mortgage, hypothecation, lease or exchange, or to see to the application of the moneys paid to the Trustees. A certificate of the secretary or treasurer of the Conference that any such consent has been given shall be sufficient and conclusive evidence of such consent.

7. The trustees shall keep proper accounts and minutes.

7. The said Trustees shall keep a proper book or books of account showing all moneys received and disbursed by them, and a book or books of minutes showing correctly all minutes of their meetings and of resolutions passed and proceedings taken thereat, and such book or books shall at all reasonable times be open for inspection by the minister in charge of the congregation and by the Chairman of the Official Board of the congregation, and any person or persons named by them or either of them, and the said minister or the said chairman and any person named by them or either of them as aforesaid shall have the right to make such copies or abstracts of or extracts from the said accounts or minutes, as he or they may desire, and upon request from the said Official Board the Trustees shall submit all books of accounts and minutes, and all vouchers, receipts, papers and documents relating to the said accounts, for audit by the said Official Board or such person or persons as the said Official Board may appoint for the purpose.

8. The trustees shall have seven days' notice of all special meetings and one day's notice of other meetings.

8. Every meeting of Trustees for considering the making of any alteration of or addition to any building on the said lands, or any part thereof, or for considering the sale, mortgage, hypothecation, lease or exchange of the said lands, or any part thereof, except the letting or sale of pews, seats, vaults, tombs or burial plots, or for considering any litigation or legal proceedings in connection with the trust estate, shall be deemed a special meeting, and each Trustee shall be entitled to seven days' notice in writing thereof, specifying the time, place and purpose of such meeting. Such notice shall be either personally delivered to each Trustee, or mailed to or delivered to him or her at his or her usual place of abode or business. Ordinary meetings may be called at any time by giving at least one day's notice in writing to each Trustee in the manner aforesaid, or by public announcement at a service for public worship at least one day prior to

such meeting. Meetings may be called by the minister in charge of the congregation, or by at least two of the Trustees. Notwithstanding anything herein contained no meeting or any business transacted thereat shall be invalid by reason of any lack or defect of service of notice arising from inability to ascertain the usual place of abode or business of any Trustee. All questions shall be determined by the majority vote of the Trustees present at a meeting, and the Chairman shall have a casting vote in the event of a tie. The minister of such congregation shall have the right to preside as Chairman at all meetings of the Trustees and may appoint a deputy to act in his place in his absence, and in the absence of the Minister and of any such deputy the Trustees present may elect a Chairman from among themselves.

9. The number of trustees shall not be fewer than three or more than fifteen, and vacancies shall be filled by election by the congregation, or in default of such election, by the Quarterly Conference and the property of a congregation which ceases to exist shall be subject to the trusts determined by the Conference.

9. The number of said Trustees shall not be fewer than three or more than fifteen. In case any of the said Trustees or any Trustee appointed under this provision shall during his or her term of office, die, resign or, having been, cease to be a member of the Canada Conference Evangelical Church in full communion, or remove to such a distance, or fail to attend meetings for such period not less than one year, as shall in the opinion of his or her co-trustees expressed by a two-thirds vote of said co-trustees, render it inexpedient for him or her to remain a Trustee, or in case the said congregation shall think proper to remove a Trustee from his or her office as Trustee, it shall be lawful for the said congregation, at any meeting called by notice from the pulpit during public worship on each of the two next preceding Sundays on which public worship is held, to declare by the votes of two-thirds of the members then present that such Trustee has ceased to be a Trustee of the said congregation and such person shall thereupon cease to be a Trustee, and at the same meeting it shall be lawful for the said congregation by a like vote to appoint a successor to such Trustee, provided, however, that no Trustee who is personally liable for payment of any indebtedness in respect of the property of a congregation shall be removed without his consent unless indemnified to his satisfaction in respect of any such liability and unless at least eight days' notice in writing of such meeting shall have been mailed to each of the Trustees at his or her last known address, which notice shall state the business to be transacted at such meeting. If no successor shall be appointed at such meeting a meeting may be called in like manner for the purpose of filling such vacancy, and at such meeting a new trustee or new Trustees (as the case may require) shall be appointed by the votes of the majority of the members then present. The notice calling a meeting for the purpose of declaring or filling a vacancy or vacancies in the office of Trustee shall be read from the pulpit by the minister or person officiating as minister, at the request of any Trustee, or of any seven members of the congregation, and every such meeting may be adjourned from time to time by the vote of the majority of the members present. During any vacancy in the office of Trustee, the remaining Trustees, not being fewer than three in number, shall have all the powers of the full Board. A majority of the Trustees shall form a quorum save when the number of Trustees exceeds nine, in which



case five shall form a quorum. The Trustees shall be members of the Canada Conference Evangelical Church.

A minute of every such appointment of a Trustee shall be entered in a book to be kept for the purpose, and signed by the person presiding at the meeting, and such minute so signed shall be sufficient evidence of the fact that the person or persons therein named was or were appointed and elected at such meeting, but any omission or neglect to make or sign such minute shall not invalidate such appointment or election.

And it is hereby further declared that in case there shall be at any time fewer than three Trustees, the presiding officer or secretary of the Quarterly Conference, within whose bounds and under whose jurisdiction the said congregation shall be, shall, with the remaining Trustee or Trustees, be the Trustees under these presents until the full Board is duly appointed, and at any time thereafter the said Quarterly Conference may cause notice to be given from the pulpit on two consecutive Sundays requiring the said congregation to proceed with the appointment of new Trustees. And if the said congregation shall not in the meantime have appointed new Trustees in the manner hereinbefore provided, it shall be lawful for the said Quarterly Conference at any time after four weeks from the last giving of such notice, by resolution duly entered in the minutes of the said Quarterly Conference, to appoint new Trustees. Such appointment shall be communicated to the congregation by notice from the pulpit as soon as conveniently may be thereafter, and from the time of such communication the Trustee or Trustees so appointed shall be a Trustee or Trustees hereunder.

And it is further declared that if at any time there shall cease to be an organized congregation entitled to the use, benefit and enjoyment of the said lands, it shall be lawful at any time or times for the said Quarterly Conference to fill any vacancy in the number of Trustees, and the said lands shall thenceforth be held subject to such trusts and for such purposes for the benefit of the Canada Conference Evangelical Church as the Conference may determine under the by-laws, rules and regulations of the Conference.

10. Trustees shall not be liable for involuntary loss.

10. A Trustee shall not be responsible for the failure of any investment or security made or taken by the Trustees or for anything done in connection with the trust estate except for his own acts and to account for any moneys coming into his own hands, and shall not be liable for injury done by others to the said trust premises, or to any part thereof.



## CHAPTER 113.

## An Act respecting St. Andrews Church, Martintown.

*Assented to 3rd April, 1930.*

**W**HEREAS the minister and trustees of St. Andrews Church, Martintown (United Church of Canada), in the township of Charlottenburgh, in the county of Glengarry, have, by their petition represented that by a Statute of Parliament of the Province of Canada passed in the twenty-fifth year of the reign of Her late Majesty, Queen Victoria, chaptered 88, it was enacted that it should and might be lawful for the then trustees of the congregation of the said St. Andrews Church, Martintown, which was then of the Presbyterian Church of Canada in connection with the Church of Scotland, to sell, alienate and convey by a good and sufficient title under their hands and seals, the west half of lot number sixteen on the south side of the River Aux Raisin in the township of Charlottenburgh, in the county of Glengarry, to any purchaser or purchasers thereof, and to apply the proceeds of such sale or sales to the purchase of a lot of ground in or near Martintown to be held by the trustees of the said congregation and their successors forever, to be appointed in the manner set forth in the said deed of grant and conveyance subject to the trusts in the said Act mentioned, to and in favour of the minister for the time being, of the said congregation of St. Andrews Church, Martintown, of the Presbyterian Church of Canada in connection with the Church of Scotland, the said west half of said lot number sixteen on the south side of the River Aux Raisin aforesaid, being a grant from the Crown to the said trustees of the said St. Andrews Church and commonly known as "Glebe;" and whereas the said trustees in pursuance of the said Statute duly sold the said lands and afterwards on the 29th day of December, A.D. 1863, purchased from one Duncan McMartin of the said township of Charlottenburgh, Yeoman, the following lands and premises to wit: all that certain parcel or tract of land and premises situate, lying and being in the township of Charlottenburgh, in the county of Glengarry, containing by admeasurement, forty-eight acres of land and composed of part of the east half of lot number twenty-six on the south side of the River Aux Raisin in the said township

of Charlottenburgh better known and described as follows, that is to say: commencing at a distance of eleven chains from the southeast angle of said lot on a course of north twenty-four degrees west, thence north twenty-four degrees west fifty chains and fifty-six links, thence south sixty-six degrees west nine chains and fifty links to the centre of said lot, thence south twenty-four degrees east fifty chains and fifty-six links, thence north sixty-six degrees east nine chains and fifty links to the place of beginning; to have and to hold the said premises subject to the conditions and limitations expressed in the original grant thereof from the Crown, unto the said trustees and their successors, upon trust, to permit the minister for the time being who shall be doing duty in the said St. Andrews Church at Martintown, according to the rites and communion of the Presbyterian Church of Canada, in connection with the Church of Scotland, to use, occupy and enjoy the same and to take the rents, issues and profits thereof, to and for his own use and benefit, and in case of there being no incumbent doing duty in the said church as aforesaid, then to allow the rents, issues and profits thereof, to and for the use and benefit of the said congregation; and whereas the said trustees still own the said lands and have represented by their said petition that the same are now entirely unremunerative and instead of being a source of revenue to the minister and congregation are likely to become a liability, that the said land has not been worked by any minister of the congregation for a period of over twenty years, nor is it ever likely to be so worked again, that it is increasingly difficult to secure a tenant for same, no tenant for the last two years having been secured, that the said property requires the expenditure of a considerable sum of money to repair fences and to kill weeds, and is likely to become liable for drainage taxes, in addition to which the ordinary municipal taxes amount to the sum of over forty dollars per annum, and further that it would be more advantageous to sell the said lands and invest the proceeds thereof in trustee securities, the income from which would furnish a never failing source of revenue, with comparatively little, if any expense attendant thereon; and whereas the congregation of the said St. Andrews Church have authorized the trustees thereof to take such action as is necessary to effect a sale of the said property; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title:

1. This Act may be cited as *The St. Andrews Church, Martintown (United Church of Canada), Act, 1930.*

2. It shall and may be lawful for the trustees of said St. Andrews Church, Martintown (United Church of Canada), to sell and convey by a good and sufficient deed in fee simple all and singular, that certain parcel or tract of land and premises situate, lying and being in the township of Charlottenburgh, in the county of Glengarry, containing by admeasurement forty-eight acres of land and composed of part of the east half of lot number twenty-six on the south side of the River Aux Raisin, in the said township of Charlottenburgh, better known and described as follows, that is to say: Commencing at a distance of eleven chains from the southeast angle of said lot on a course of north twenty-four degrees west, thence north twenty-four degrees west fifty chains and fifty-six links, thence south sixty-six degrees west nine chains and fifty links to the centre of said lot, thence south twenty-four degrees east fifty chains and fifty-six links, thence north sixty-six degrees east nine chains and fifty links to the place of beginning.

Power  
of trustees  
to sell  
certain  
lands.

3. The purchase money received by the trustees of said St. Andrews Church, Martintown (United Church of Canada), from the sale of the said lands and premises, shall be invested by them in trustee securities and the said purchase money shall be impressed with the same trusts as the said lands, namely: the income arising therefrom shall be paid to the minister, who for the time being shall be doing duty in the said church and in case of there being no incumbent doing duty in the said church as aforesaid, then the income arising therefrom shall be applied for the use and benefit of the said congregation of the said church.

Application  
of purchase  
money.

4. The purchaser or purchasers of the said lands shall not be bound to see to the application of the proceeds of said sale or sales as directed by this Act.

Rights of  
purchaser.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-  
ment of Act.

## CHAPTER 114.

An Act to amend the Acts Incorporating  
Albert College.

*Assented to 3rd April, 1930.*

## Preamble

**W**HEREAS the Board of Management of Albert College has by petition represented that it was incorporated by an Act of the late Province of Canada, being 20 Victoria (1857) Chapter 184, under the name of Belleville Seminary and that such name was later changed to that of Albert College by 29 and 30 Victoria (1866) Chapter 136; and whereas it has been represented by the said board that certain changes are desirable in the constitution of its governing board, as decided by resolution at its annual meeting on the 25th day of October, 1928; and that in the interest of Albert College and for the general benefit of its educational work it is expedient that a board of governors shall be substituted for the board of management, and that the chairman of the board of governors should be appointed by the board itself from among its own members; and whereas the board of management of Albert College has prayed that an Act be passed to carry same into effect; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:

## Short title.

1. This Act may be cited as *Albert College Act, 1930*.

20 Vict.,  
c. 184, s. 3  
amended.

2. Section 3 of the Act to incorporate Belleville Seminary passed in 20 Victoria (1857) Chapter 184 is amended as follows:

(a) By striking out the words "a Bishop or General Superintendent of the said Church" in the seventh and eighth lines and inserting in lieu thereof the words "the Moderator of the General Council of the United Church of Canada;"

(b) By striking out the words "Board of Management at which a Bishop shall preside, but in case no Bishop

shall

shall be present then a Chairman shall be chosen from among themselves" and inserting in lieu thereof the words "Board of Governors which shall be presided over by a Chairman, who shall be chosen from among its own membership;"

(c) By striking out the words "Joint Board" wherever they appear and inserting in lieu thereof the word "Board;" by striking out the words "Joint Board of Management" wherever they appear and inserting in lieu thereof the words "Board of Governors;"

(d) By striking out the word "Bishop" wherever it appears and inserting in lieu thereof the word "Chairman;" by striking out after the words "shall be called by" in the thirty-sixth line the words "Senior General Superintendent or Bishop of the said Church for the time being" and inserting in lieu thereof the words "the Chairman of the Board of Governors," and by striking out the words "or General Superintendent" in the forty-first line of the said section.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-  
ment of  
Act.

## CHAPTER 115.

An Act to incorporate Niagara Peninsula  
Sanatorium Association.*Assented to 3rd April, 1930.*

## Preamble.

**W**HEREAS by their petition, Niagara Peninsula Sanatorium Association, a corporation without share capital, incorporated under *The Ontario Companies Act*, and the municipal council of the corporation of the city of St. Catharines have represented that it is desirable to establish a sanatorium for the Niagara Peninsula for the prevention and treatment of tuberculosis and for such purpose to re-incorporate the said association under the name of "Niagara Peninsula Sanatorium Association," having adequate powers, rights and privileges for the said purposes and to transfer to the said Association, the properties and assets of the institution heretofore established and known as The St. Catharines Consumptive Sanatorium; and to vest in the said association, for the purposes of the association, the moneys in the hands of the Brownlee Hospital Trust Fund; and whereas the said petitioners have prayed that an Act may be passed for such purposes; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

## Short title.

**1.** This Act may be cited as *Niagara Peninsula Sanatorium Act, 1930.*

## Incorporation.

**2.** The persons hereinafter named and their successors in office, with the Mayor for the time being, of the city of St. Catharines and the Wardens for the time being of the counties of Lincoln and Welland, are hereby constituted and shall be a corporation under the name of "Niagara Peninsula Sanatorium Association" (hereinafter called the Association), for the purposes and with the powers herein mentioned.

## Board of Governors.

**3.** The said persons, namely, James Dew Chaplin, Douglas V. Currey, Albert F. Fifield, Arthur Courtney Kingstone,

Reuben

Reuben W. Leonard, Alexander William Marquis, Charles G. McGhie, Thomas A. Nicholson, Arthur Robinson, John Sheahan and Albert Hedley Trapnell, and their successors in office, with the said Mayor and Wardens as aforesaid, and with such other additional persons who hereafter may be added under the provisions of this Act, shall constitute the Board of Governors (hereinafter called the Board), of the Association, and the said persons named, with the present said Mayor and Wardens, shall be the first Board.

4. Upon a vacancy occurring by death, resignation or <sup>Vacancies.</sup> otherwise in the office of any of the Board, other than the said Mayor and Wardens, his successor shall be appointed by the Board.

5. The Board may, by resolution passed by a two-thirds <sup>Board may</sup> vote of the members present at a meeting duly called for <sup>declare</sup> the purpose, declare the seat of any member, other than <sup>vacancy.</sup> the said Mayor and Wardens, to be vacant.

6. The Board, shall, until their number is changed as <sup>Constitution</sup> herein provided, consist of eleven members in addition to <sup>of Board.</sup> the said Mayor and Wardens, but such number may from time to time be increased or decreased by by-law of the Board passed at a special meeting called for the purpose; provided that the number shall never be less than nine. The Board shall, in any by-law which may be passed to increase or decrease such number, have power to prescribe and govern the manner in which the change of number shall be effected. The Board as it may from time to time be composed of an increased or decreased number under the authority of any such by-law shall constitute the Board for all purposes of this Act.

7. The Board shall appoint annually, and at its first <sup>Chairman</sup> meeting of the year, one of its number to be chairman who <sup>and Vice-</sup> shall hold office for one year and until his successor is appointed, <sup>Chairman.</sup> and the Board may, from time to time, appoint one of its number to be vice-chairman, who shall, in the absence of the chairman, or in case his office is vacant, act in his place.

8. The services of the members of the Board shall be <sup>No remun-</sup> given without remuneration, except for actual disbursements <sup>eration to</sup> approved by the Board. <sup>members of</sup> <sup>Board.</sup>

9. All properties, real and personal, and the undertaking <sup>Property</sup> and assets owned, held, possessed or enjoyed by the said <sup>vested in</sup> Niagara Peninsula Sanatorium Association, incorporated <sup>Associa-</sup> as aforesaid under *The Companies Act*, and by the Board of <sup>tion</sup> Trustees of the St. Catharines Consumptive Sanatorium <sup>Rev. Stat.,</sup> <sup>c. 218.</sup>



heretofore established under the authority of *The Sanatoria for Consumptives Act* and under any by-laws of the corporation of the city of St. Catharines, or owned, held, possessed or enjoyed by the corporation of the city of St. Catharines for the purposes of or in connection with the said sanatorium established as aforesaid are hereby vested in the Association for its purposes, without the necessity of any other grant, conveyance, transfer, assignment or vesting thereof, but subject to the provisions of this Act and to all obligations, debts, mortgages, charges and liabilities in any way affecting the same or any part thereof, or in any way due or owing by or from the said Board of Trustees.

Power to  
carry on  
Sanatorium  
established.

**10.** The Association shall have full power to continue and carry on the sanatorium now established as and existing as aforesaid and also generally to establish and carry on other sanatoria and other similar institutions or undertakings and to do all things necessary, incidental or usual thereto or in connection therewith.

General  
purposes of  
Association.

**11.** The purposes of the Association so far as it may be possible shall be to carry on and establish sanatoria or other similar institutions which it may establish, undertake or carry on in perpetuity for the prevention and treatment of tuberculosis and other pulmonary diseases and for other co-related purposes for the general benefit and advantage of the inhabitants of the Niagara Peninsula.

Power to  
acquire and  
hold  
property.

**12.** For the purposes of the Association, all persons and corporations may grant, give, devise and bequeath to it and notwithstanding any Act or law respecting mortmain or charitable uses, the Association may acquire and take by purchase, lease, gift, devise, bequest, endowment and otherwise, and may continue to hold lands or tenements or interests therein, moneys, investments and personal property; and the Association may execute and carry out any trust or endowment and the terms upon which any land or interest therein, moneys, investments or personal property may be granted, conveyed, given, devised or bequeathed to it. Provided that any land acquired by the Association and no longer required for its purposes shall be sold and disposed of within a period of ten years after it shall cease to be so required.

Income  
from invest-  
ments, con-  
tributions,  
etc.

**13.** The income from the funds and investments of the Association, the moneys received from or for patients for care, maintenance and treatment, the rents, issues and profits and interest or dividends upon all properties owned by or held by or for the Association, except property touching which it has been otherwise ordered by the donors, and all

contributions,



contributions, subscriptions and other moneys and income (including municipal grants), received by or on behalf of the Association for the purpose of being applied towards the maintenance and carrying on of the purposes, work, sanatoria, institutions or other its properties shall form the income fund of the Association, and shall be at the disposal of the Board for its purposes; and the Board may in its discretion from time to time appropriate any surplus for the purpose of creating contingent or special funds for the purposes of the Association.

**14.** The Board may, from time to time, sell and dispose of any of the real and personal properties of the Association, which no longer may be necessary for its purposes; provided that the proceeds derived from any such sale or disposal shall be held and applied for the purposes of the Association. Sale of property.

**15.** The Board may by by-law passed by a two-thirds vote of the members present at a meeting duly called for that purpose, borrow money from time to time for the purposes of the Association, and secure its repayment. Borrowing money.

**16.** The powers of the Association shall be vested in and exercised by the Board, and without restricting the generality of the foregoing, the Board shall appoint such officers, superintendents, matrons, medical and surgical staff, nurses, employees, servants and agents, as it may from time to time require, or deem necessary, and shall have the control, management, government and disposition of the sanatoria, institutions and other properties and work established or carried on by the Association, and, subject to the provisions of this Act, of all its properties, endowments, funds, assets, income, revenue and expenditures, and the Board shall have power to pass by-laws, resolutions, rules and regulations touching or respecting any and all the said powers and matters and fixing the salaries, wages, fees and emoluments of all persons appointed by or under the jurisdiction of the Board, and also in respect of all matters pertaining to the business, meetings and transactions of the Board, and for fixing the quorum necessary for its meetings, and the Board may act by such committees of or appointed by the Board as it may deem proper to appoint. Exercise of powers and appointment of officers by Board.

**17.** The superintendent of the sanatorium and such other of its officers to whom the Board may from time to time delegate the power, may, subject to the approval of the Board, make regulations for the direction of the nurses, employees and servants in regard to their duties and for the conduct and discipline of all patients at or in the sanatorium or other institutions, and of all visitors thereto, and for the internal conduct and management thereof. Regulations of Superintendent as to nurses, etc.

Conveyances by Board.

**18.** Subject to the by-laws of the Board, all conveyances, grants, discharges or assignments of any property held by or for the Association, shall be made by the Board under its corporate seal, attested by the signatures of the chairman or vice-chairman or some other member of the Board thereto authorized and of such officer of the Board as it may from time to time direct.

Superannuation of employees.

**19.** The Board may make regulations for the retirement and superannuation of any person in its employ, and any gratuity or superannuation allowance may be paid out of any fund provided for that purpose or out of the income fund as the Board shall direct.

Restriction in expropriation of land of Association.

**20.** No real property or interest therein vested in the Association and used for its purposes shall be liable to be entered upon, used or taken by any municipal or other corporation or by any person possessing the right of taking lands compulsorily for any purpose whatsoever; and no power to expropriate real property hereafter conferred on any such corporation or person shall extend to any such real property or interest, unless in the Act conferring the power it is made in express terms to apply to such real property. Provided that this section shall not apply to any land of the Association which is required for the purpose of widening or extending any highway.

Affiliation with Mack Training School for Nurses.

**21.** Without limiting the general powers hereinbefore conferred, the Association may affiliate with the Mack Training School for Nurses established by the St. Catharines General Hospital or any other established training school for nurses for the training of any nurses in the employ of the Board, and the Board may erect, equip and maintain residences for nurses, superintendents, resident physicians and surgeons of the sanatorium or other institutions of the Association, and also all other buildings which may be requisite, upon such sites as the Board may deem proper.

Indigent patients.

**22.** The Board shall afford accommodation as far as possible to indigent patients sent into the sanatorium or other institutions established by the Association on the order of any municipality which may enter into an agreement with the Association respecting their admission and may admit other patients at such rates as may from time to time be prescribed by the Board, and in respect of all such patients, the Board may by by-law or resolution make such regulations and impose such restrictions as to the Board may seem proper.

Payment over to Association of money in hands of Brownlee Hospital Trust Fund.

**23.** The moneys in the hands of the Brownlee Hospital Trust Fund after the accounts of the same shall have been

duly

duly audited by the Surrogate Judge of the county of Lincoln shall be handed over by the trustees thereof, to the Niagara Peninsula Sanatorium Association for the purpose of assisting in the furnishing and equipment of the new sanatorium now being erected by the Association and shall be identified as having come from the Brownlee Hospital Fund. Upon this being done, the trustees shall be relieved from further responsibility in connection therewith.

**24.** From and after the passing of this Act, the said incorporation heretofore constituted under the name of The Trustees of the St. Catharines Consumptive Sanatorium, and the said Association incorporated under *The Ontario Companies Act*, shall, subject to the provisions of this Act, for all purposes whatsoever, be deemed to have been wound up and dissolved.

Dissolution  
of existing  
corpora-  
tions.

**25.** For the purpose of aiding the Association in the establishment of its new sanatorium, the corporation of the city of St. Catharines may grant it the sum of twenty-five thousand dollars (\$25,000), and the municipal council of the said corporation may, without the assent of the electors, issue debentures for such purpose.

Power of  
City of St.  
Catharines  
to grant  
\$25,000 to  
Association.

**26.** Any sanatoria established by the Association shall be deemed to be a public hospital within the meaning of paragraph 28 of section 396 of *The Municipal Act*.

Application  
of Rev. Stat.  
c. 233, s. 396,  
par. 28.

**27.** The provisions of *The Sanatoria for Consumptives Act* shall apply except where inconsistent with the provisions of this Act.

Application  
of  
Rev. Stat.  
c. 357.

**28.** This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-  
ment of Act.

## CHAPTER 116.

## An Act respecting The Toronto General Insurance Company.

*Assented to 3rd April, 1930.*

Preamble.

**W**HEREAS The Toronto Casualty and Marine Insurance Company was incorporated on the 21st day of July, 1921, by letters patent under the great seal of the Province of Ontario, pursuant to the provisions of *The Ontario Insurance Act*; and whereas by an order-in-council, dated the 12th day of March, 1922, the name of the said company was changed from The Toronto Casualty and Marine Insurance Company to The Toronto Casualty, Fire and Marine Insurance Company; and whereas by supplementary letters patent under the Great Seal of the Province of Ontario, dated the 9th day of November, 1928, the capital structure of the company was re-arranged under the authority of *The Companies Act* by exchange of new shares of par value of \$10 for shares previously issued; and whereas by order-in-council, dated the 11th day of March, 1930, the name of the said company was changed from The Toronto Casualty, Fire and Marine Insurance Company to The Toronto General Insurance Company; and whereas the said company has, by its petition, prayed for special legislation in regard to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Changing  
par value of  
shares.

1. The directors may at any time pass a by-law providing for increasing or reducing the par value of the shares in the capital stock of the company, and in such by-law may provide a plan of dealing with fractional shares resulting from such increase or reduction in par value, including therein provisions (a) to call in outstanding certificates of stock and issue new certificates; (b) to issue certificates for fractional parts of shares; (c) to accumulate and consolidate fractional parts of shares into shares of the new par value; (d) to buy and sell such fractional parts; (e) after consolidating fractional parts of shares into shares of the new par value, to sell the same; (f)

if

if such fractional parts of shares have not all been accumulated and consolidated or otherwise dealt with after the expiration of six months from the passing of the by-law changing the par value of the shares, then after giving at least thirty days' notice to each holder of a fractional part to purchase all such fractional parts at the then market price, as indicated by the then last sale of stock, or at such price, not being less than the market price, as the directors may determine upon; and that such price may be paid by crediting each such shareholder in the books of the company with the amount which shall thereafter be payable to each such shareholder on demand and that such action shall operate as an extinguishment of the rights of such shareholders to such fractional parts. <sup>Provisoos,</sup> Provided always that all such shares or fractional parts of shares acquired by the company shall be sold or disposed of by it within two years from the acquisition thereof; and provided further that as often as any shareholder appears on the stock register or share register of the company as holding fractional parts of shares which together amount to the new par value of a share or to any multiple thereof, such shareholder shall thenceforth be deemed to hold an equivalent amount in shares of the new par value, and when the certificates therefor are issued they shall be certificates for shares of the new par value.

**2.—(1)** If the paid-up capital stock of the company is at any time impaired (and the capital stock shall for this purpose be deemed to be impaired when the assets of the company are less than its liabilities, including in the said liabilities a re-insurance reserve of eighty per centum of the *pro rata* unearned premiums and the paid-up capital stock of the company) the directors may from time to time pass a by-law for reducing the paid-up capital stock of the company by such amount as seems desirable and reducing the issued stock of the company by the amount of the reduction of the paid-up portion thereof. <sup>Reducing capital stock.</sup>

(2) Such reduction in the paid-up capital stock may be effected either by reducing the par value of the shares or by reducing the number of shares outstanding, as nearly as possible, in proportion to the respective holdings of every shareholder according to a plan to be embodied in the said by-law; and such plan may provide for the disposition of fractional parts of shares where necessary and the directors may call in and cancel the shares so reduced and issue new shares and certificates therefor as may be deemed expedient, and the register of the company shall be amended in accordance with every change in the shares thereof.

(3) Any such plan providing for the disposition of fractional parts of shares may include the right on the part of the company

pany to require the holder of any such fractional part to sell and the right on the part of the company to buy the same; and such plan may provide for accumulating, consolidating and selling fractional parts and for the extinguishment of the rights of the holders of such fractional parts, in the manner hereinbefore provided with respect to changing the par value of shares of the capital stock of the company; provided that all shares so acquired by the company shall be sold within two years from the acquisition thereof.

Issue of  
new shares.

**3.** The directors may, from time to time, pass a by-law providing for the issue or re-issue of new stock of the company to the amount by which the paid-up capital stock has been in any manner reduced, written off, called in or cancelled, but so that the capital stock shall not at any time exceed the authorized capital stock of the company, and all stock issued after the passing of this Act shall rank in all respects *pari passu* with the existing stock, subject always to the right to issue part of the same as preference stock, and to the preference and priority over ordinary stock given in respect thereto; and such new stock may, notwithstanding anything herein contained be issued, allotted and called in from time to time in such manner as the directors determine.

Right to  
subscribe.

**4.** Every new issue of stock shall first be offered for subscription to the shareholders of the company in proportion, as nearly as possible to their respective holdings for the time being, and the by-law may provide a limited time within which such right to subscribe may be exercised.

Con-  
firmation  
by share-  
holders.

**5.** A by-law passed by the directors pursuant to this Act shall take effect according to its terms when confirmed by at least two-thirds of the votes cast at a general meeting of shareholders duly called for considering the by-law.

Powers  
additional  
to present  
powers.

**6.** The powers given to the company and its directors under this Act shall be deemed to be an addition to any powers which the company now has by virtue of *The Companies Act*, or of the letters patent or supplementary letters patent of the company.

## CHAPTER 117.

An Act to incorporate The Welland County Ship  
Canal Industrial Area Commission.*Assented to 3rd April, 1930.*

**W**HEREAS the corporations of the city of Welland, the Preamble  
town of Port Colborne, the townships of Thorold,  
Crowland and Humberstone and the village of Humberstone  
have by their petition represented that the said municipalities  
are situated on either side of the Welland Ship Canal and are  
adjoining municipalities and so situated that a common  
industrial department would serve the interests of the munici-  
palities and effect large reductions in the aggregate cost of  
operating the same; and whereas the said corporations have  
by their said petition also prayed that a commission may be  
incorporated to operate the said industrial department for  
and on behalf of the said corporations; and whereas it is  
expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario,  
enacts as follows:

**1.** This Act may be cited as *The Welland County Ship* Short title.  
*Canal Industrial Area Act.*

**2.** In this Act,—

Interpre-  
tation.

- (a) "The Commission" shall mean the Welland County "Com-  
mission."  
Ship Canal Industrial Area Commission;
- (b) "Industrial Commissioner" shall mean one employed "Industrial  
Commis-  
sioner."  
by the Welland County Ship Canal Industrial Area  
Commission;
- (c) "Area" shall mean the lands within the territorial "Area."  
limits of the city of Welland, the town of Port  
Colborne, the townships of Thorold, Crowland and  
Humberstone, and the village of Humberstone.



Establish-  
ment of  
Commission  
and mem-  
bership.

**3.—(1)** For the purpose of this Act a commission to be known as "The Welland County Ship Canal Industrial Area Commission" is hereby established and shall be a body corporate and shall be composed as follows:

- (a) The member of the Assembly for the Electoral District of Welland shall be *ex-officio* a member of the commission;
- (b) A member of the council of the city of Welland to be nominated by the council shall be *ex-officio* a member of the commission; and
- (c) The council of the city of Welland shall every year appoint one person to be a member of the commission who shall not be a member of the council, to hold office for the term of one year;
- (d) A member of the council of the town of Port Colborne to be nominated by the council shall be *ex-officio* a member of the commission; and
- (e) The council of the town of Port Colborne shall every year appoint one person to be a member of the commission who shall not be a member of the council, to hold office for the term of one year;
- (f) A member of the council of the township of Thorold to be nominated by the council shall be *ex-officio* a member of the commission; and
- (g) The council of the township of Thorold shall every year appoint one person to be a member of the commission who shall not be a member of the council, to hold office for the term of one year;
- (h) A member of the council of the township of Crowland to be nominated by the council shall be *ex-officio* a member of the commission; and
- (i) The council of the township of Crowland shall every year appoint one person to be a member of the commission who shall not be a member of the council, to hold office for the term of one year;
- (j) A member of the council of the township of Humberstone to be nominated by the council shall be *ex-officio* a member of the commission; and

(k)



- (k) The council of the township of Humberstone shall every year appoint one person to be a member of the commission who shall not be a member of the council, to hold office for the term of one year;
- (l) A member of the council of the village of Humberstone to be nominated by the council shall be *ex-officio* a member of the commission; and
- (m) The council of the village of Humberstone shall every year appoint one person to be a member of the commission who shall not be a member of the council, to hold office for the term of one year.

(2) The corporation of any other municipality adjoining the Welland Ship Canal may by by-law signify its desire to come within the jurisdiction of the commission, and if its application is accepted by the commission it shall be subject to the provisions of this Act and liable to contribute its proportion of the moneys required by the commission, and be entitled to the same representation thereon as the other municipalities above mentioned.

Provision  
for other  
municipalities com-  
ing in.

(3) When a vacancy in the membership of the commission occurs for any cause, the proper council in that behalf shall immediately appoint a successor who shall hold office during the remainder of the term for which his predecessor was appointed.

Vacancies.

4. The said commission shall have power to bring to the notice of manufacturers and others, the advantages of the area as a location for industrial enterprises, summer resorts, residential, educational and other purposes and for such purposes may establish an office or offices in the area and appoint a commissioner of industries, a secretary and treasurer and such other officers, servants and workmen as may be deemed requisite, and may fix their salaries or other remuneration, and may expend the moneys of the commission in establishing and maintaining such office or offices and in paying such salaries or other remuneration and in diffusing information respecting the advantages of the area as a manufacturing, business, educational or residential centre.

Duties of  
Commission.

5.—(1) The commission shall annually at the meeting to be held on the first Friday in the month of January, elect one of the members thereof to be chairman of the commission, who shall hold office for one year and until his successor is elected. The chairman shall preside at all meetings of the commission at which he is present and in the absence of the chairman the members present shall elect one of such members to preside at the meeting.

Chairman.

(2) A majority of the commissioners shall constitute a quorum.

Seal. (3) The commission shall have a common seal and may from time to time alter or change the same.

Contracts. (4) Any contract entered into by the commission and sealed with the seal and signed by the chairman and secretary thereof shall be binding upon the commission.

Books of account. (5) The commission shall keep proper records and books, including books of account in which shall be recorded and entered the business of the commission.

No salary for commissioners. (6) The members of the commission shall serve without salary.

Requirements as to residence, etc. (7) The commissioner appointed by any municipality, other than the *ex-officio* members, may reside in any other of the above-mentioned municipalities, but otherwise the provisions of Parts II, III and IV of *The Municipal Act*, which are applicable to members of the council of a local municipality, shall apply *mutatis mutandis* to the members of the commission.

Rev. Stat., c. 233.

Money to be provided by municipalities.

6. All moneys required for the general purposes of the commission shall be provided by the city of Welland, the town of Port Colborne, the townships of Thorold, Crowland and Humberstone, and the village of Humberstone, in the proportion to be ascertained and determined under the provisions of this Act.

Payment over to commission.

7.—(1) Subject to the provisions of section 9, the moneys required by the commission shall be provided and paid over to the commission from time to time on the application of the commission. The application shall set out the sum total required at the time of the making of such application and the proportions thereof required from and payable by each of the corporations.

(2) The application shall be in writing and sealed with the seal of the commission and signed by the chairman and secretary and duplicate originals of such application shall be delivered to the clerk of each corporation.

Recovery by commission.

8. The sum stated in any such application when made as payable by any of the said corporations shall be a debt due by such corporation to the commission, and may be recovered by the commission from such corporation by suit in any court of competent jurisdiction.

9. The council of each of said corporations shall levy in each year over a period of five years a rate of half a mill in the dollar of the total assessment of each municipality liable for such assessment and shall pay the same over to the commission on the application of the commission. The amount to be raised annually may be increased to one mill in the dollar by the unanimous action of all the corporations to be signified by by-law. And in addition, all grants allowed by *The Municipal Act* for the purposes for which the commission is created, may be granted by the corporations to the commission.

Levy of  
mill rate.

Rev. Stat.,  
c. 233.

10. Any time after the 31st day of December, 1934, any one of the corporations may serve notice on the commission and the other corporations that it desires to withdraw from the commission and from and after the date of the receipt of the notice by the commission the commission shall cease to exist so far as the corporation withdrawing is concerned, except that the corporation or corporations withdrawing shall be liable to the commission for its or their proportionate share (considering the moneys contributed by the corporations) of any liabilities of the commission incurred for which the commission are liable up to the receipt of the notices.

Provision  
for with-  
drawal.

11. The corporations which have not served notice of intention to withdraw may by by-law signify their intention of continuing the commission and so long as any three of the corporations so signify their intention, this Act shall remain in full force and effect so far as the continuing corporations are concerned.

Continuing  
corporations.

12. The commission shall in each year on or before the 30th day of November submit a full report of the work of the commission together with a financial statement to the corporations.

Annual  
Report of  
Commission.

13. The first or organization meeting of the commission shall be called by the mayor of the city of Welland within fifteen days after the passing of this Act, by three days' notice in writing delivered to the other corporations, members of the commission.

First  
meeting of  
Commission.

14. This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-  
ment of  
Act.

## CHAPTER 118.

## An Act respecting Canadian Kennel Club.

*Assented to 3rd April, 1930.*

Preamble.

**W**HEREAS an organization called The Canadian Kennel Club was formed in the year 1888 for the purpose of instituting and carrying on a stud book for the registration of pure bred dogs throughout the Dominion of Canada and for the purpose also of licensing and controlling the showing of dogs throughout the said Dominion; and whereas the said club has carried on these functions continuously since the year 1888; and whereas in the year 1915 the said club became affiliated with the Canadian National Live Stock Records under the provisions of the Act respecting Live Stock Records Associations and ever since that time has carried on the business of registering pure bred dogs in affiliation with that association; and whereas a charter of incorporation for the said club was granted under the provisions of the Dominion Companies Act on the 7th day of February, 1929, whereby Canadian Kennel Club Incorporated became a corporation without share capital; and whereas the said corporation was formed for the purpose of taking over and carrying on the business conducted by The Canadian Kennel Club since the year 1888; and whereas the said Canadian Kennel Club has, in the course of its activities amassed certain assets, no part of which is realty, and it is desirable that the said assets should be vested in the new corporation above referred to; and whereas Canadian Kennel Club Incorporated has by its petition prayed that an Act may be passed vesting in it the assets of The Canadian Kennel Club; and whereas it is expedient to grant the prayer of the said petition;

R. S. C. c. 27.

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *Canadian Kennel Club Act, 1930.*

Assets vested in Canadian Kennel Club Incorporated.

**2.** All the assets of The Canadian Kennel Club of every kind whatsoever and wheresoever situate are hereby vested

in

in Canadian Kennel Club Incorporated, subject to any existing encumbrances thereon.

**3.** This Act shall come into force on the day upon which <sup>Commence-</sup>  
it receives the Royal Assent. <sub>ment of Act.</sub>



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First Session, Eighteenth Legislature,  
20 George V, 1930

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# TABLE OF PUBLIC STATUTES 1927-1930

TABLE SHOWING THE EXISTING ACTS OF THE PROVINCE OF ONTARIO WITH  
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OF 1928, 1929 AND 1930.

NOTE.—This table has been prepared for the convenience of the public under the instructions of the Attorney-General. Each Act, with its amendments, is shown alphabetically in the table under the heading of its short title, if it has one, otherwise under its long title. Numerous subject matter or collective titles have been inserted by way of cross-reference to facilitate the finding of the different Acts.

*Abbreviations.*—aff.—affecting; am.—amending; c.—chapter; rep.—repealing; R.S.O.—Revised Statutes of Ontario; s—section; sub.—substituting; sup.—superseding.

## A

ABSCONDING DEBTOR'S ACT. R.S.O. 1927, c. 114.

ABSENTEE ACT. R.S.O. 1927, c. 108.

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ADMINISTRATION OF ESTATES. *See* Crown Administration of Estates Act; Devolution of Estates Act; Public Trustee Act; Settled Estates Act; Succession Duty Act; Surrogate Courts Act; Trustee Act.

ADMINISTRATION OF JUSTICE EXPENSES ACT. R.S.O. 1927, c. 126; 1928, c. 21, s. 7 am.; 1929, c. 40 am.

ADOLESCENT SCHOOL ATTENDANCE ACT. R.S.O. 1927, c. 333.

ADOPTION ACT. R.S.O. 1927, c. 189; 1928, c. 29 am.; 1929, c. 23, s. 11 am.

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AGRICULTURAL ASSOCIATIONS ACT. R.S.O. 1927, c. 70.

AGRICULTURAL COLLEGE ACT. R.S.O. 1927, c. 339.

AGRICULTURAL DEVELOPMENT ACT. R.S.O. 1927, c. 68; 1928, c. 21, s. 3 am.

AGRICULTURAL DEVELOPMENT FINANCE ACT. R.S.O. 1927, c. 67.

AGRICULTURAL REPRESENTATIVES ACT. R.S.O. 1927, c. 73.

AGRICULTURAL SOCIETIES ACT. R.S.O. 1927, c. 71.

AGRICULTURE. *See* Agricultural Associations Act; Agricultural College Act; Agricultural Development Act; Agricultural Development Finance Act; Agricultural Representatives Act; Agricultural Societies Act; Consolidated Cheese Factories Act; Corn Borer Act; County Publicity Act; Dairy; Department of Agriculture Act; Farm Loans Act; Live Stock and Products Act; Protection of Cattle Act.

ALBERTA COAL SALES ACT. 1929, c. 70.

ALIENS' REAL PROPERTY ACT. R.S.O. 1927, c. 136.

AMUSEMENTS TAX ACT. R.S.O. 1927, c. 32.

- AN ACT TO CONFIRM THE REVISED STATUTES OF ONTARIO, 1927; 1928, c. 2.
- AN ACT FOR GRANTING TO HIS MAJESTY CERTAIN SUMS OF MONEY FOR THE PUBLIC SERVICE. 1928, c. 1; 1929, c. 1; 1930, c. 1.
- AN ACT FOR RAISING MONEY ON THE CREDIT OF THE CONSOLIDATED REVENUE FUND 1928, c. 6; 1929, c. 2; 1930, c. 2.
- AN ACT RESPECTING CERTAIN LANDS OF THE CANADIAN GENERAL ELECTRIC COMPANY, LIMITED, IN THE COUNTY OF WELLAND. 1928, c. 20.
- AN ACT RESPECTING THE TORONTO GENERAL HOSPITAL. 1928, c. 58.
- ANATOMY ACT. R.S.O. 1927, c. 197.
- ANDREW MERCER REFORMATORY ACT. R.S.O. 1927, c. 346.
- ANIMALS. *See* Branding of Live Stock Act; Dog Tax and Sheep Protection Act; Entry of Horses at Exhibitions Act; Injured Animals Act; Game and Fisheries Act; Stallion Act; Protection of Cattle Act.
- APPEALS. *See* Privy Council Appeals Act.
- APPORTIONMENT ACT. R.S.O. 1927, c. 191.
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- ATHLETIC COMMISSION ACT. R.S.O. 1927, c. 261; 1928, c. 21, s. 21 am.; 1929, c. 23, s. 13 am.; 1930, c. 21, s. 16 am.
- ATHLETICS. *See* Athletic Commission Act; Community Halls Act.
- AUCTIONEERS. *See* Provincial Auctioneers' License Act.
- AUDIT ACT. R.S.O. 1927, c. 25; 1930, c. 21, s. 2 am.
- AUXILIARY CLASSES ACT. R.S.O. 1927, c. 324.

## B

- BARBERRY SHRUB ACT. R.S.O. 1927, c. 311; 1929, c. 81 rep. and sup.
- BARRISTERS ACT. R.S.O. 1927, c. 193.
- BEACH PROTECTION ACT. R.S.O. 1927, c. 298; 1929, c. 77 aff.
- BEACHES AND RIVER BEDS ACT. R.S.O. 1927, c. 299; 1929, c. 77 aff.
- BED OF NAVIGABLE WATERS ACT. R.S.O. 1927, c. 42.
- BEES ACT. R.S.O. 1927, c. 314.
- BILLIARD ROOMS. *See* Minors' Protection Act.
- BILLS OF SALE AND CHATTEL MORTGAGES ACT. R.S.O. 1927, c. 164.
- BIRDS. *See* Protection of Birds Act.
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- BOARDS OF EDUCATION ACT. R.S.O. 1927, c. 327; 1928, c. 53, s. 7 am.; 1929, c. 84, s. 12 am.; 1930, c. 63, s. 18 rep., s. 19 am.
- BOILERS. *See* Steam Boiler Act.
- BONUS LIMITATION ACT. R.S.O. 1927, c. 234.
- BOOK DEBTS. *See* Assignment of Book Debts.
- BOUNDARIES. *See* Ontario and Manitoba Boundary Line Act.
- BOUNTY. *See* Wolf Bounty Act.
- BOYS' WELFARE HOME AND SCHOOL ACT. R.S.O. 1927, c. 282; 1928, c. 49 am.
- BRANDING OF LIVE STOCK ACT. R.S.O. 1927, c. 305.
- BREAD SALES ACT. R.S.O. 1927, c. 268.
- BUILDING TRADES PROTECTION ACT. R.S.O. 1927, c. 274.
- BULK SALES ACT. R.S.O. 1927, c. 167; 1928, c. 24 am.
- BUREAU OF MUNICIPAL AFFAIRS ACT. R.S.O. 1927, c. 232.
- BURIAL GROUNDS. *See* Cemetery Act.
- BURLINGTON BEACH ACT. R.S.O. 1927, c. 83; 1930, c. 20, rep. and sub.
- BUTTER. *See* Cheese and Butter Exchanges Act; Dairy; Milk, Cheese and Butter Act.



## C

- CANADA FOUNDRY COMPANY SITES ACT. 1928, c. 20; 1930, c. 21, s. 21 rep.
- CATTLE. *See* Branding of Live Stock Act; Protection of Cattle Act.
- CEMETERY ACT. R.S.O. 1927, c. 317.
- CEMETERIES. *See* Cemetery Act; Registry Act.
- CENTRAL ONTARIO POWER ACT. 1930, c. 13.
- CHARITABLE INSTITUTIONS. *See* Hospitals and Charitable Institutions Act.
- CHARITIES ACCOUNTING ACT. R.S.O. 1927, c. 152; 1930, c. 33 am.
- CHARTERED ACCOUNTANTS ACT. R.S.O. 1927, c. 205.
- CHEESE. *See* Cheese and Butter Exchanges Act; Consolidated Cheese Factories Act; Dairy Products Act; Milk, Cheese and Butter Act.
- CHEESE AND BUTTER EXCHANGES ACT. R.S.O. 1927, c. 231.
- CHILDREN. *See* Adoption Act; Apprenticeship Act; Auxiliary Classes Act; Boys' Welfare Home and School Act; Children's Protection Act; Children of Unmarried Parents Act; Dependents' Relief Act; Deserted Wives' and Children's Maintenance Act; Infants Act; Juvenile Courts Act; Legitimation Act; Maternity Boarding House Act; Mothers' Allowances Act; Minors' Protection Act.
- CHILDREN OF UNMARRIED PARENTS ACT. R.S.O. 1927, c. 188; 1928, c. 28 am.; 1929, c. 23, s. 10 am.
- CHILDREN'S PROTECTION ACT. R.S.O. 1927, c. 279; 1928, c. 46 am.; 1929, c. 23 s. 15 am.; 1930, c. 54 am.
- CIRCUS. *See* Travelling Shows Act.
- CIVIL SERVICE. *See* Public Service.
- COLLEGE OF ART ACT. R.S.O. 1927, c. 342.
- COLONIZATION ROADS ACT. R.S.O. 1927, c. 37; 1928, c. 13 am.
- COMMISSIONERS FOR TAKING AFFIDAVITS ACT. R.S.O. 1927, c. 109.
- COMMUNITY HALLS ACT. R.S.O. 1927, c. 247.
- COMPANIES. *See* Companies Act; Companies Information Act; Extra-Provincial Corporations Act; Minority Shareholders Rights Act; Real Estate Brokers Act; Security Frauds Prevention Act.
- COMPANIES ACT. R.S.O. 1927, c. 218; 1928, c. 32 am.; 1929, c. 49 am.; 1930, c. 37 am.
- COMPANIES INFORMATION ACT. 1928, c. 33; 1929, c. 50 am.; 1930, c. 38 am.
- COMPENSATION. *See* Industrial and Mining Lands Compensation Act; Workmen's Compensation Act; Workmen's Compensation Insurance Act.
- CONDITIONAL SALES ACT. R.S.O. 1927, c. 165; 1929, c. 23, s. 8 am.
- CONSOLIDATED CHEESE FACTORIES ACT. R.S.O. 1927, c. 77.
- CONSOLIDATED REVENUE FUND ACT. R.S.O. 1927, c. 22.
- CONSTABLES ACT. R.S.O. 1927, c. 125; 1929, c. 39 am.
- CONSTITUTIONAL QUESTIONS ACT. R.S.O. 1927, c. 117.
- CONTINUATION SCHOOLS ACT. R.S.O. 1927, c. 325; 1928, c. 53, s. 3 am.; 1929, c. 84, ss. 5, 6 am.; 1930, c. 63, ss. 12, 13 am.
- CONTRIBUTORY NEGLIGENCE ACT. R.S.O. 1927, c. 103; 1930, c. 27, s. 9 rep. and sup.
- CONTROVERTED ELECTIONS ACT. R.S.O. 1927, c. 11; 1928, c. 4 am.
- CONVEYANCING. *See* Conveyancing and Law of Property Act; Investigation of Titles Act; Land Titles Act; Land Transfers Tax Act; Registry Act; Short Forms of Conveyances Act.
- CONVEYANCING AND LAW OF PROPERTY ACT. R.S.O. 1927, c. 137.
- CO-OPERATIVE CREDIT SOCIETIES ACT. 1922, c. 64.
- CO-OPERATIVE MARKETING LOAN ACT. R.S.O. 1927, c. 75.
- CORN BORER ACT. R.S.O. 1927, c. 312; 1929, c. 23, s. 17 am.
- CORONERS ACT. R.S.O. 1927, c. 123.
- CORPORATIONS TAX ACT. R.S.O. 1927, c. 29; 1928, c. 21, s. 1 am.; 1930, c. 6 am.
- COSTS OF DISTRESS ACT. R.S.O. 1927, c. 110; 1929, c. 34 am.
- COUNTIES REFORESTATION ACT. R.S.O. 1927, c. 289.
- COUNTY COURT JUDGES' CRIMINAL COURTS ACT. R.S.O. 1927, c. 93.
- COUNTY COURTS ACT. R.S.O. 1927, c. 91; 1928, c. 21, s. 5 am.
- COUNTY JUDGES ACT. R.S.O. 1927, c. 90; 1928, c. 21, s. 18 am.; 1929, c. 23, s. 3 am.; 1930, c. 25, s. 2 am., s. 3 rep.
- COUNTY PUBLICITY ACT. R.S.O. 1927, c. 74; 1930, c. 21, s. 5 am.

COURTS. *See* Administration of Justice Expenses Act; County Court Judges' Criminal Courts Acts; County Courts Acts; County Judges Act; Division Courts Act; Dominion Courts Act; Extra-Judicial Services Act; General Sessions Act; Judicature Act; Jurors' Act; Justices of the Peace Act; Magistrates Act; Mining Act; Privy Council Appeals Act; Surrogate Courts Act.

CREAM. *See* Dairy Products Act; Milk and Cream Act.

CREDITORS RELIEF ACT. R.S.O. 1927, s. 113.

CROWN ADMINISTRATION OF ESTATES ACT. R.S.O. 1927, c. 104; 1930, c. 28 am.

CROWN ATTORNEYS ACT. R.S.O. 1927, c. 122; 1929, c. 38 am.

CROWN TIMBER ACT. R.S.O. 1927, c. 38; 1928, c. 14 am.; 1929, c. 23, s. 2 am.

CROWN WITNESSES ACT. R.S.O. 1927, c. 127.

CULLERS ACT. R.S.O. 1927, c. 209.

CUSTODY OF DOCUMENTS ACT. R.S.O. 1927, c. 157.

## D

DAIRY. *See* Consolidated Cheese Factories Act; Cheese and Butter Exchanges Act; Dairy Products Act; Milk and Cream Act; Milk, Cheese and Butter Act.

DAIRY PRODUCTS ACT. R.S.O. 1927, c. 267; 1930, c. 53 rep. and sup.

DAMAGE BY FUMES ARBITRATION ACT. R.S.O. 1927, c. 49.

DEATHS. *See* Vital Statistics Act.

DEBT COLLECTORS ACT. R.S.O. 1927, c. 272.

DEFINITION OF TIME ACT. R.S.O. 1927, c. 160.

DENTISTRY ACT. R.S.O. 1927, c. 198.

DEPARTMENT OF AGRICULTURE ACT. R.S.O. 1927, c. 66.

DEPARTMENT OF EDUCATION ACT. R.S.O. 1927, c. 322; 1930, c. 63, ss. 1, 2 am.

DEPARTMENT OF LABOUR ACT. R.S.O. 1927, c. 62.

DEPENDANTS' RELIEF ACT. 1929, c. 47; 1930, c. 35 am.

DESERTED WIVES' AND CHILDREN'S MAINTENANCE ACT. R.S.O. 1927, c. 184.

DEVOLUTION OF ESTATES ACT. R.S.O. 1927, c. 148; 1929, c. 42 am.; 1930, c. 21, s. 11 am.

DISTRICT COURT HOUSES ACT. R.S.O. 1927, c. 352.

DISTRICT HOUSES OF REFUGE ACT. R.S.O. 1927, c. 349.

DITCHES AND WATERCOURSES ACT. R.S.O. 1927, c. 316.

DIVISION COURTS ACT. R.S.O. 1927, c. 95; 1929, c. 30 am.

DOG TAX AND SHEEP PROTECTION ACT. R.S.O. 1927, c. 300; 1929, c. 78 am.

DOMINION COMMISSIONERS OF POLICE ACT. R.S.O. 1927, c. 124.

DOMINION COURTS ACT. R.S.O. 1927, c. 87.

DOWER ACT. R.S.O. 1927, c. 100; 1928, c. 21, s. 6 am.

DRAINAGE. *See* Ditches and Watercourses Act; Municipal Drainage Act; Municipal Drainage Aid Act; Provincial Aid to Drainage Act; Tile Drainage Act.

DRUGLESS PRACTITIONERS ACT. R.S.O. 1927, c. 200; 1928, c. 45, s. 2 aff.

## E

EDUCATION. *See* Adolescent School Attendance Act; Agricultural College Act; Auxiliary Classes Act; Boards of Education Act; Boys' Welfare Home and School Act; College of Art Act; Continuation Schools Act; Department of Education Act; High Schools Act; Industrial Schools Act; Mining Schools Act; Public Schools Act; School Attendance Act; Schools for the Deaf and Blind Act; Separate Schools Act; University Act; Upper Canada College Act; Veterinary Science Practice Act; Vocational Education Act.

EGRESS FROM PUBLIC BUILDINGS ACT. R.S.O. 1927, c. 284.

ELECTION ACT. R.S.O. 1927, c. 8; 1928, c. 3 am.; 1929, c. 5 am.; 1930, c. 3 am.

ELECTIONS. *See* Municipal Act; Controverted Elections Act; Election Act; Political Contributions Act; Personation Act; Voters' Lists Act.

ELECTRIC RAILWAYS. *See* Municipal Electric Railway Act; Railway Act.

EMBALMERS AND FUNERAL DIRECTORS ACT. 1928, c. 31.

EMBALMERS AND UNDERTAKERS' ACT. R.S.O. 1927, c. 211; 1928, c. 31 rep. and sup.

EMPLOYMENT AGENCIES ACT. R.S.O. 1927, c. 216.

ENGINEERS. *See* Professional Engineers Act; Stationary and Hoisting Engineers Act.

ENTRY OF HORSES AT EXHIBITIONS ACT. R.S.O. 1927, c. 271.  
 ESCHEATS ACT. R.S.O. 1927, c. 133.  
 ESTATES TAIL ACT. R.S.O. 1927, c. 141.  
 ESTREATS ACT. R.S.O. 1927, c. 128; 1928, c. 22 am.  
 EVIDENCE ACT. R.S.O. 1927, c. 107; 1929, c. 33 am.; 1930, c. 29 am.  
 EXECUTION ACT. R.S.O. 1927, c. 112; 1929, c. 35 am.  
 EXECUTIVE COUNCIL ACT. R.S.O. 1927, c. 14; 1930, c. 5 am.  
 EXTRA JUDICIAL SERVICES ACT. R.S.O. 1927, c. 89.  
 EXTRAMURAL EMPLOYMENT OF PERSONS UNDER SENTENCE ACT. R.S.O. 1927, c. 363.  
 EXTRA PROVINCIAL CORPORATIONS ACT. R.S.O. 1927, c. 219; 1928, c. 21, s. 19 am.; 1929, c. 52 am.

## F

FACTORS ACT. R.S.O. 1927, c. 168.  
 FACTORY, SHOP AND OFFICE BUILDING ACT. R.S.O. 1927, c. 275; 1929, c. 72, ss. 2, 3, 9, 13 aff., ss. 4-8 and 10-12 am.  
 FARM LOANS. *See* Agricultural Development Act; Agricultural Development Finance Act; Farm Loans Act.  
 FARM LOANS ACT. R.S.O. 1927, c. 69.  
 FATAL ACCIDENTS ACT. R.S.O. 1927, c. 183.  
 FEMALE PATIENTS AND PRISONERS PROTECTION ACT. R.S.O. 1927, c. 283.  
 FEMALE REFUGES ACT. R.S.O. 1927, c. 347.  
 FENCES. *See* Line Fences Act; Snow Roads and Fences Act.  
 FERRIES ACT. R.S.O. 1927, c. 159.  
 FINES AND FORFEITURES ACT. R.S.O. 1927, c. 129.  
 FIRE. *See* Accidental Fires Act; Fire Accidents Act; Fire Departments Act; Fire Guardians Act; Fire Marshals Act; Fires Extinguishment Act; Forest Fires Prevention Act; Prevention of Accidents by Fire in Hotels Act; Railway Fire Charge Act.  
 FIRE ACCIDENTS ACT. R.S.O. 1927, c. 296.  
 FIRE DEPARTMENTS ACT. R.S.O. 1927, c. 245.  
 FIRE GUARDIANS ACT. R.S.O. 1927, c. 293.  
 FIRE MARSHALS ACT. R.S.O. 1927, c. 295; 1929, c. 76 am.; 1930, c. 61 am.  
 FIREMEN. *See* Fire Departments Act; Firemen's Exemption Act.  
 FIREMEN'S EXEMPTION ACT. R.S.O. 1927, c. 244.  
 FIRES EXTINGUISHMENT ACT. R.S.O. 1927, c. 294.  
 FOREST. *See* Forest Fires Prevention Act; Forestry Act; Private Forest Reserves Act; Provincial Forests Act.  
 FOREST FIRES PREVENTION ACT. R.S.O. 1927, c. 291; 1930, c. 60 rep. and sup.  
 FOREST RESERVES ACT. R.S.O. 1927, c. 40; 1929, c. 14, s. 12 rep.  
 FORESTRY ACT. R.S.O. 1927, c. 41.  
 FOWL. *See* Transportation of Fowl Act.  
 FRAUD. *See* Alberta Coal Sales Act; Fraudulent Conveyances Act; Fraudulent Debtors' Arrest Act; Fruit Sales Act; Real Estate Brokers Act; Security Frauds' Prevention Act; Statute of Frauds.  
 FRAUDULENT CONVEYANCES ACT. R.S.O. 1927, c. 134.  
 FRAUDULENT DEBTORS' ARREST ACT. R.S.O. 1927, c. 115.  
 FRUIT PACKING ACT. R.S.O. 1927, c. 76.  
 FRUIT PESTS ACT. R.S.O. 1927, c. 310.  
 FRUIT SALES ACT. R.S.O. 1927, c. 269.  
 FRUIT AND VEGETABLES CONSIGNMENT ACT. R.S.O. 1927, c. 270.  
 FUEL SUPPLY ACT. R.S.O. 1927, c. 51.  
 FUR-BEARING ANIMALS KEPT IN CAPTIVITY ACT. R.S.O. 1927, c. 321.

## G

GAME AND FISHERIES ACT. R.S.O. 1927, c. 318; 1928, c. 52 am.; 1929, c. 82 am.; 1930, c. 62 am.  
 GAMING ACT. R.S.O. 1927, c. 260.  
 GAOLS ACT. R.S.O. 1927, c. 351.  
 GAS. *See* Natural Gas Conservation Act; Well Drillers Act.  
 GASOLINE TAX ACT. R.S.O. 1927, c. 55; 1929, c. 18 am.

GENERAL PURCHASING AGENT'S ACT. R.S.O. 1927, c. 34.  
 GENERAL SESSIONS ACT. R.S.O. 1927, c. 92.  
 GINSENG ACT. R.S.O. 1927, c. 313.  
 GOVERNMENT STOCK. *See* Provincial Loans Act.  
 GUARANTEE COMPANIES SECURITIES ACT. R.S.O. 1927, c. 230.  
 GUARDIANSHIP. *See* Infants Act.

## H

HABEAS CORPUS ACT. R.S.O. 1927, c. 116.  
 HALIBURTON ACT. R.S.O. 1927, c. 4.  
 HEALTH. *See* One Day's Rest in Seven Act; Public Health Act; Silicosis Act; Vaccination Act; Venereal Diseases Prevention Act.  
 HIGH SCHOOLS ACT. R.S.O. 1927, c. 326; 1928, c. 53, ss. 4-6 am.; 1929, c. 84, ss. 7-11 am.; 1930, c. 63, ss. 14-17 am.  
 HIGHWAY. *See* Colonization Roads Act; Highway Improvement Act; Highway Improvement Fund Act; Highway Traffic Act; Public Service Works on Highways Act; Public Commercial Vehicle Act; Public Vehicle Act; Snow Roads and Fences Act; Statute Labour Act; Tree Planting Act.  
 HIGHWAY IMPROVEMENT ACT. R.S.O. 1927, c. 54; 1928, c. 18 am; 1929, c. 17 am; 1930, c. 10 am.  
 HIGHWAY IMPROVEMENT FUND ACT. 1930, c. 11.  
 HIGHWAY TRAFFIC ACT. R.S.O. 1927, c. 251; 1928, c. 42 am.; 1929, c. 68 am.; 1930, cc. 47, 48 am.  
 HORSES. *See* entry of Horses at Exhibitions Act; Stallion Act.  
 HORTICULTURAL SOCIETIES ACT. R.S.O. 1927, c. 72.  
 HOSPITALS. *See* An Act respecting the Toronto General Hospital; Hospitals and Charitable Institutions Act; Hospitals for the Insane Act; Ontario Hospital, Woodstock Act; Private Sanitarium Act; Psychiatric Hospitals Act; Sanatoria for Consumptives Act; Toronto General Hospital Act.  
 HOSPITALS AND CHARITABLE INSTITUTIONS ACT. R.S.O. 1927, c. 359; 1928, c. 59 am.; 1930, c. 21, s. 18 am.  
 HOSPITALS FOR THE INSANE ACT. R.S.O. 1927, c. 353; 1930, c. 66 am.  
 HOTELS ACT. 1929, c. 75.  
 HOURS OF LABOUR. *See* Factory, Shop and Office Building Act; Fire-Departments Act; Mining Act; Municipal Act; One Day's Rest in Seven Act; Railway Act.  
 HOUSES OF REFUGE ACT. R.S.O. 1927, c. 348.  
 HYDRO-ELECTRIC. *See* Hydro-Electric Negligence Act; Hydro-Electric Railway Act; Municipal Electric Railway Act; Power Commission Act; Power Commission Insurance Act; Rural Hydro-Electric Distribution Act; Water Powers' Regulation Act.  
 HYDRO-ELECTRIC NEGLIGENCE ACT. R.S.O. 1927, c. 61.  
 HYDRO-ELECTRIC RAILWAY ACT. 1929, c. 55.

## I

INDIAN LANDS ACT. 1924, c. 15.  
 INDUSTRIAL EDUCATION. *See* Vocational Education Act.  
 INDUSTRIAL FARMS ACT. R.S.O. 1927, c. 350.  
 INDUSTRIAL AND MINING LANDS COMPENSATION ACT. R.S.O. 1927, c. 147.  
 INDUSTRIAL SCHOOLS ACT. R.S.O. 1927, c. 329.  
 INDUSTRIAL SITES ACT. 1929, c. 59.  
 INFANTS. *See* Children.  
 INFANTS ACT. R.S.O. 1927, c. 186; 1929, c. 48 am.  
 INJURED ANIMALS ACT. R.S.O. 1927, c. 302.  
 INNKEEPERS' ACT. R.S.O. 1927, c. 210; 1929, c. 75, s. 3 rep.  
 INSANE. *See* Hospitals for the Insane Act; Psychiatric Hospitals Act.  
 INSOLVENCY. *See* Assignment and Preferences Act.  
 INSURANCE. *See* Insurance Act; Workmen's Compensation Insurance Act; Power Commission Insurance Act.  
 INSURANCE ACT. R.S.O. 1927, c. 222; 1928, c. 35 am.; 1929, c. 53 am.; 1930, c. 41 am.  
 INTERPRETATION ACT. R.S.O. 1927, c. 1.  
 INTTESTATE SUCCESSION. *See* Devolution of Estates Act.  
 INVESTIGATION OF TITLES ACT. 1929, c. 41; 1930, c. 30 am.  
 IRON ORE BOUNTY ACT. 1924, c. 19; 1930, c. 9 rep. and sup.

## J

JUDGES' ORDERS ENFORCEMENT ACT. R.S.O. 1927, c. 111.

JUDICATURE ACT. R.S.O. 1927, c. 88; 1928, c. 21, s. 4 am.; 1930, c. 21, s. 6 aff's 7 rep; c. 22 am.; c. 23 am.

JURORS' ACT. R.S.O. 1927, c. 96; 1929, c. 31 am.

JUSTICES OF THE PEACE ACT. R.S.O. 1927, c. 118.

JUVENILE COURTS ACT. R.S.O. 1927, c. 281; 1928, c. 48 am.; 1929, c. 74 am.; 1930, c. 57 am.

## K

KAPUSKASING, TOWN OF. 1921, c. 36; 1930, c. 21, s. 19 am.

KING'S PRINTER ACT. R.S.O. 1927, c. 79.

## L

LABOUR. *See* Labour Department Act; Employment Agencies Act; Minimum Wage Act; One Day's Rest in Seven Act; Workmen's Compensation Act.

LAC SEUL CONSERVATION ACT. 1928, c. 12.

LAKES AND RIVERS IMPROVEMENT ACT. R.S.O. 1927, c. 43; 1928, c. 11 am.

LAND. *See* Indian Lands Act; Industrial Sites Act; Investigation of Titles Act; Land Titles Act; Land Transfer Tax Act; Northern Development Act; Provincial Land Tax Act; Public Lands Act; Registry Act; Returned Soldiers' and Sailors' Land Settlement Act; Tax Sales Confirmation Act; Veterans' Land Grant Act.

LAND SURVEYORS ACT. R.S.O. 1927, c. 201; 1928, c. 21, s. 9 am.

LAND TITLES ACT. R.S.O. 1927, c. 158; 1929, c. 45 am.

LAND TRANSFER TAX ACT. R.S.O. 1927, c. 31.

LANDLORD AND TENANT ACT. R.S.O. 1927, c. 190; 1928, c. 30 am.

LAW SOCIETY ACT. R.S.O. 1927, c. 192; 1928, c. 21, s. 8 am.; 1930, c. 21, s. 13 am.

LAW STAMPS ACT. R.S.O. 1927, c. 27.

LEASES. *See* Short Forms of Leases Act.

LEGISLATIVE ASSEMBLY ACT. R.S.O. 1927, c. 12; 1930, c. 4 am.

LEGISLATIVE SECRETARY FOR NORTHERN ONTARIO ACT. R.S.O. 1927, c. 15.

LEGITIMATION ACT. R.S.O. 1927, c. 187.

LIBEL AND SLANDER ACT. R.S.O. 1927, c. 101.

LIBRARIES. *See* Public Libraries Act.

LIEUTENANT-GOVERNOR'S ACT. R.S.O. 1927, c. 13.

LIGHTNING ROD ACT. R.S.O. 1927, c. 297.

LIMITATIONS ACT. R.S.O. 1927, c. 106.

LIMITED PARTNERSHIP ACT. R.S.O. 1927, c. 171; 1930, c. 21, s. 12 am.

LINE FENCES ACT. R.S.O. 1927, c. 315.

LIQUOR CONTROL ACT. R.S.O. 1927, c. 257; 1928, c. 44 am.; 1929, c. 69 am, c. 75, s. 3 am.; 1930, c. 51 am.

LIVE STOCK AND PRODUCTS ACT. R.S.O. 1927, c. 306.

LOAD OF VEHICLES. *See* Highway Traffic Act.

LOAN AND TRUST CORPORATIONS ACT. R.S.O. 1927, c. 223; 1928, c. 21, s. 10 am., c. 36 am.; 1929, c. 54, am; 1930, c. 42 am.

LOANS. *See* Agricultural Development Act; Agricultural Development Finance Act; Co-operative Marketing Loan Act; Farm Loans Act; Loan and Trust Corporations Act; Money Lenders Act; Ontario Loan Act; Provincial Loans Act; Rural Power District Loans Act.

LOCAL IMPROVEMENT ACT. R.S.O. 1927, c. 235; 1928, c. 38 am.; 1929, c. 60 am.; 1930, c. 45 am.

LONG POINT PARK ACT. R.S.O. 1927, c. 84.

LUNACY ACT. R.S.O. 1927, c. 98; 1929, c. 32 am.; 1930, c. 26 am.

LUXURY TAX ACT. R.S.O. 1927, c. 33.

## M

MAGISTRATES ACT. R.S.O. 1927, c. 119; 1929, c. 23, s. 5 am.; 1930, c. 21, s. 9 am.

MAGISTRATES' JURISDICTION ACT. 1929, c. 36.

MANITOBA. *See* Ontario and Manitoba Boundary Line Act.

MARKETING. *See* Co-operative Marketing Loan Act; Fruit and Vegetables Consignment Act; Fruit Sales Act.

- MARRIAGES. *See* Marriage Act; Vital Statistics Act.
- MARRIAGE ACT. R.S.O. 1927, c. 181; 1928, c. 27 am.
- MARRIED WOMEN'S PROPERTY ACT. R.S.O. 1927, c. 182.
- MASTER AND SERVANT ACT. R.S.O. 1927, c. 177; 1929, c. 23, s. 9.
- MATERNITY BOARDING HOUSE ACT. R.S.O. 1927, c. 278.
- MECHANICS' LIEN ACT. R.S.O. 1927, c. 173.
- MEDICAL ACT. R.S.O. 1927, c. 196.
- MERCANTILE LAW AMENDMENT ACT. R.S.O. 1927, c. 161.
- MILK. *See* Dairy Products Act; Milk and Cream Act; Milk, Cheese and Butter Act.
- MILK, CHEESE AND BUTTER ACT. R.S.O. 1927, c. 266.
- MILK AND CREAM ACT. R.S.O. 1927, c. 265.
- MILLS LICENSING ACT. R.S.O. 1927, c. 39.
- MINIMUM WAGE ACT. R.S.O. 1927, c. 277; 1929, c. 23, s. 14 am.
- MINING. *See* Damage by Fumes Arbitration Act; Industrial and Mining Lands Compensation Act; Iron Ore Bounty Act; Mining Act; Mining Schools Act; Mining Tax Act; Radium Act; Unwrought Metal Sales Act.
- MINING ACT. R.S.O. 1927, c. 45; 1928, c. 16 am.; 1929, c. 15 am.; 1930, c. 8 am.
- MINING SCHOOLS ACT. R.S.O. 1927, c. 341.
- MINING TAX ACT. R.S.O. 1927, c. 28; 1930, c. 21, s. 3 am.
- MINORITY SHAREHOLDERS RIGHTS ACT. R.S.O. 1927, c. 229.
- MINORS' PROTECTION ACT. R.S.O. 1927, c. 259.
- MONEY-LENDERS ACT. R.S.O. 1927, c. 212.
- MORTGAGE TAX ACT. R.S.O. 1927, c. 156; 1929, c. 44 am.
- MORTGAGES. *See* Bills of Sale and Chattel Mortgages Act; Mortgages Act; Short Forms of Mortgages Act.
- MORTGAGES ACT. R.S.O. 1927, c. 140.
- MORTMAIN AND CHARITABLE USES ACT. R.S.O. 1927, c. 132.
- MOTOR VEHICLES. *See* Highway Traffic Act.
- MOTHERS' ALLOWANCES ACT. R.S.O. 1927, c. 280; 1928, c. 47 am.; 1929, c. 23, s. 16 am.; 1930, c. 55 am.
- MOVING PICTURES. *See* Theatres and Cinematographs Act.
- MUNICIPAL AFFAIRS. *See* Assessment Act; Bonus Limitation Act; Bureau of Municipal Affairs Act; Local Improvement Act; Municipal Act; Planning and Development Act; Statute Labour Act; Suburban Area Development Act.
- MUNICIPAL ACT. R.S.O. 1927, c. 233; 1928, c. 37 am.; 1929, c. 57 am., c. 58 am., c. 79, s. 13 am.; 1930, c. 44 am.
- MUNICIPAL ARBITRATIONS ACT. R.S.O. 1927, c. 242; 1928, c. 40 am.
- MUNICIPAL BOARD. *See* Railway and Municipal Board Act.
- MUNICIPAL DRAINAGE ACT. R.S.O. 1927, c. 241.
- MUNICIPAL DRAINAGE AID ACT. R.S.O. 1927, c. 64.
- MUNICIPAL ELECTIONS. *See* Municipal Act; Voters' Lists Act.
- MUNICIPAL ELECTRIC RAILWAY ACT. R.S.O. 1927, c. 226.
- MUNICIPAL FRANCHISES ACT. R.S.O. 1927, c. 240; 1929, c. 65 am.
- MUNICIPAL AND SCHOOL ACCOUNTS AUDIT ACT. R.S.O. 1927, c. 243.
- MUSEUM. *See* Royal Ontario Museum.

## N

- NATURAL GAS. *See* Natural Gas Conservation Act; Mining Tax Act, Part II; Well Drillers Act.
- NATURAL GAS CONSERVATION ACT. R.S.O. 1927, c. 47; 1929, c. 16 am.
- NEGLIGENCE ACT. 1930, c. 27.
- NIAGARA PARKS ACT. R.S.O. 1927, c. 81; 1929, c. 27 am.
- NORTHERN DEVELOPMENT ACT. R.S.O. 1927, c. 36; 1929, c. 12 am.
- NORTHERN ONTARIO. *See* Legislative Secretary for Northern Ontario Act; Northern Development Act; Northern Ontario Appropriation Act; Northern Ontario Relief Act.
- NORTHERN ONTARIO APPROPRIATION ACT. 1929, c. 11; 1930, c. 7.
- NORTHERN ONTARIO RELIEF ACT. 1928, c. 10.
- NOTARIES ACT. R.S.O. 1927, c. 195.
- NURSES. *See* Registration of Nurses Act.

## O

OFFENSIVE WEAPONS ACT. R.S.O. 1927, c. 288.  
 OFFICIAL NOTICES PUBLICATION ACT. R.S.O. 1927, c. 21.  
 OIL WELLS. *See* Well Drillers Act.  
 OLD AGE PENSIONS ACT. 1929, c. 73; 1930, c. 56 am.  
 ONE DAY'S REST IN SEVEN ACT. R.S.O. 1927, c. 276.  
 ONTARIO AND MANITOBA BOUNDARY LINE ACT. 1929, c. 3.  
 ONTARIO HOSPITAL, WOODSTOCK, ACT. R.S.O. 1927, c. 356.  
 ONTARIO LOAN ACT. 1928, c. 6; 1929, c. 2.  
 OPTOMETRY ACT. R.S.O. 1927, c. 215.

## P

PAPER MILLS. *See* Mills Licensing Act.  
 PARENTS' MAINTENANCE ACT. R.S.O. 1927, c. 185; 1929, c. 46 am.  
 PARKS. *See* Burlington Beach Act; Long Point Park Act; Niagara Parks Act; Presqu'île Park Act; Provincial Parks Act; Public Parks Act.  
 PAROLE ACT. R.S.O. 1927, c. 362; 1929, c. 23, s. 18 am.  
 PARTITION ACT. R.S.O. 1927, c. 142.  
 PARTNERSHIP. *See* Limited Partnership Act; Partnership Act; Partnership Registration Act.  
 PARTNERSHIP ACT. R.S.O. 1927, c. 170.  
 PARTNERSHIP REGISTRATION ACT. R.S.O. 1927, c. 172.  
 PATRICIA ACT. R.S.O. 1927, c. 5.  
 PAWNBROKERS' ACT. R.S.O. 1927, c. 213.  
 PERSONATION ACT. R.S.O. 1927, c. 9.  
 PETTY TRESPASS ACT. R.S.O. 1927, c. 139.  
 PHARMACY ACT. R.S.O. 1927, c. 199.  
 PLANNING AND DEVELOPMENT ACT. R.S.O. 1927, c. 236; 1929, c. 61 am.; 1930, c. 21, s. 14 am.  
 POLICE. *See* Constables Act; Dominion Commissioners of Police Act.  
 POLICE MAGISTRATES. *See* Magistrates Act.  
 POLITICAL CONTRIBUTIONS ACT. R.S.O. 1927, c. 10; 1929, c. 6 rep. and sup.  
 POOL ROOMS. *See* Minors Protection Act.  
 POUNDS ACT. R.S.O. 1927, c. 301.  
 POWER. *See* Central Ontario Power Act; Lac Seul Conservation Act; Power Commission Act; Power Commission and Companies Transfer Act; Power Commission Insurance Act; Rural Power District Loans Act; Rural Power District Service Charge Act; Water Powers Regulation Act.  
 POWER COMMISSION ACT. R.S.O. 1927, c. 57; 1928, c. 19, ss. 2-5 am., s. 6 aff.; 1929, c. 20 am., c. 21 aff., c. 23, s. 20 aff.; 1930, c. 12, ss. 2-11 am., s. 12 aff.  
 POWER COMMISSION AND COMPANIES' TRANSFER ACT. 1929, c. 22; 1930, c. 16.  
 POWER COMMISSION INSURANCE ACT. R.S.O. 1927, c. 60.  
 POWERS OF ATTORNEY ACT. R.S.O. 1927, c. 135.  
 PRESQU'ÎLE PARK ACT. R.S.O. 1927, c. 85; 1929, c. 28 am.  
 PREVENTION OF ACCIDENTS BY FIRE IN HOTELS ACT. R.S.O. 1927, c. 286; 1929, c. 75, s. 3 rep.  
 PRISONS AND PUBLIC CHARITIES INSPECTION ACT. R.S.O. 1927, c. 361.  
 PRIVATE DETECTIVES ACT. R.S.O. 1927, c. 214; 1930, c. 36 am.  
 PRIVATE FOREST RESERVES ACT. R.S.O. 1927, c. 290.  
 PRIVATE SANITARIUM ACT. R.S.O. 1927, c. 355.  
 PRIVY COUNCIL APPEALS ACT. R.S.O. 1927, c. 86.  
 PROBATION ACT. R.S.O. 1927, c. 364; 1929, c. 88 am.  
 PROFESSIONAL ENGINEERS ACT. R.S.O. 1927, c. 206.  
 PROPERTY AND CIVIL RIGHTS ACT. R.S.O. 1927, c. 130.  
 PROTECTION OF BIRDS ACT. R.S.O. 1927, c. 319.  
 PROTECTION OF CATTLE ACT. R.S.O. 1927, c. 304; 1928, c. 50 am.  
 PROVINCIAL AID TO DRAINAGE ACT. R.S.O. 1927, c. 63; 1929, c. 24 am.  
 PROVINCIAL AUCTIONEERS' LICENSE ACT. R.S.O. 1927, c. 217.  
 PROVINCIAL FORESTS ACT. 1929, c. 14, rep. and sub.  
 PROVINCIAL HIGHWAYS. *See* Highway Improvement Act.  
 PROVINCIAL LAND TAX ACT. R.S.O. 1927, c. 30; 1928, c. 8 am.; 1930, c. 21, s. 4 am.



- PROVINCIAL LOANS. *See* Loans.
- PROVINCIAL LOANS ACT. R.S.O. 1927, c. 23.
- PROVINCIAL PARKS ACT. R.S.O. 1927, c. 82.
- PSYCHIATRIC HOSPITALS ACT. R.S.O. 1927, c. 354.
- PUBLIC AUTHORITIES PROTECTION ACT. R.S.O. 1927, c. 120.
- PUBLIC BUILDINGS. *See* Egress from Public Buildings.
- PUBLIC COMMERCIAL VEHICLE ACT. R.S.O. 1927, c. 253; 1930, c. 49 am.
- PUBLIC HEALTH ACT. R.S.O. 1927, c. 262; 1928, c. 45 am.; 1930, c. 52 am.
- PUBLIC INQUIRIES ACT. R.S.O. 1927, c. 20.
- PUBLIC LANDS ACT. R.S.O. 1927, c. 35; 1928, c. 9 am.
- PUBLIC LIBRARIES ACT. R.S.O. 1927, c. 246; 1929, c. 66 am.
- PUBLIC OFFICERS ACT. R.S.O. 1927, c. 17.
- PUBLIC OFFICERS' FEES ACT. R.S.O. 1927, c. 19; 1929, c. 9 am.
- PUBLIC AND OTHER WORKS WAGES ACT. R.S.O. 1927, c. 175.
- PUBLIC PARKS ACT. R.S.O. 1927, c. 248.
- PUBLIC REVENUE ACT. R.S.O. 1927, c. 24.
- PUBLIC SCHOOLS ACT. R.S.O. 1927, c. 323; 1928, c. 53, ss. 1, 2 am.; 1929, c. 84, ss. 2, 3, 4 am.; 1930, c. 63, ss. 3-11 am.
- PUBLIC SERVICE. *See* An Act for granting to His Majesty certain sums of Money for the Public Service; General Purchasing Agent's Act; Public Officers' Fees Act; Public Service Act.
- PUBLIC SERVICE ACT. R.S.O. 1927, c. 16; 1928, c. 5 am.; 1929, c. 7 am.
- PUBLIC SERVICE WORKS ON HIGHWAYS ACT. R.S.O. 1927, c. 56; 1929, c. 19 am.
- PUBLIC TRUSTEE ACT. R.S.O. 1927, c. 151; 1930, c. 32 am.
- PUBLIC UTILITIES ACT. R.S.O. 1927, c. 249; 1928, c. 41 am.; 1929, c. 67 am.; 1930, c. 21, s. 15 am.
- PUBLIC UTILITIES CORPORATIONS ACT. R.S.O. 1927, c. 228.
- PUBLIC WORKS ACT. R.S.O. 1927, c. 52.
- PUBLIC VEHICLES ACT. R.S.O. 1927, c. 252; 1928, c. 43 am.
- PULP AND PULPWOOD. *See* Crown Timber Act; Mills Licensing Act; Pulpwood Conservation Act.
- PULPWOOD CONSERVATION ACT. 1929, c. 13.

## Q

- QUIETING TITLES ACT. R.S.O. 1927, c. 154.

## R

- RACE TRACKS. *See* Corporations Tax Act.
- RADIUM ACT. R.S.O. 1927, c. 46.
- RAILWAY ACT. R.S.O. 1927, c. 224; 1930, c. 43 am.
- RAILWAY FIRE CHARGE ACT. R.S.O. 1927, c. 292.
- RAILWAY AND MUNICIPAL BOARD ACT. R.S.O. 1927, c. 225; 1928, c. 21, s. 11 am.; 1929, c. 23 s. 12 am.
- RAILWAYS. *See* Hydro-Electric Railway Act; Municipal Electric Railway Act; Railway Act; Railway and Municipal Board Act; Railway Fire Charge Act; Sandwich, Windsor and Amherstburg Railway Act; Windsor, Essex and Lake Shore Rapid Railway Act.
- REAL ESTATE BROKERS ACT. 1930, c. 40.
- RECIPROCAL ENFORCEMENT OF JUDGMENTS ACT. 1929, c. 29.
- REFORESTATION. *See* Forestry Act.
- REFORMATORY ACT. R.S.O. 1927, c. 345.
- REGISTRATION. *See* Land Titles Act; Partnership Registration Act; Registration of Nurses Act; Registry Act; Vital Statistics Act.
- REGISTRATION OF NURSES ACT. R.S.O. 1927, c. 360; 1929, c. 87 am.
- REGISTRY ACT. R.S.O. 1927, c. 155; 1929, c. 43 am.; 1930, c. 34 am.
- RELIGIOUS INSTITUTIONS ACT. R.S.O. 1927, c. 344.
- REPLEVIN ACT. R.S.O. 1927, c. 99.
- REPRESENTATION ACT. R.S.O. 1927, c. 6.
- RESEARCH FOUNDATION ACT. 1928, c. 57; 1929, c. 86 am.



- RETURNED SOLDIERS' AND SAILORS' LAND SETTLEMENT ACT. 1917, c. 13; 1918, c. 8, s. 2 aff.; 1919, c. 15 aff.; 1920, c. 16 am.; 1921, c. 18 aff.; 1926, c. 9, s. 2 aff.; c. 10, ss. 3, 6, 11 aff.; 1927, c. 13 aff.
- REVENUE. *See* An Act for granting to His Majesty certain sums of money for the Public Service; An Act for Raising Money on the Credit of the Consolidated Revenue Fund; Consolidated Revenue Fund Act; Public Revenue Act.
- REVISED STATUTES ACT. 1928, c. 2.
- RIVERS. *See* Beach Protection Act; Beaches and River Beds Act; Bed of Navigable Waters Act; Lakes and Rivers Improvement Act.
- ROADS. *See* Highway.
- ROYAL ONTARIO MUSEUM ACT. R.S.O. 1927, c. 343; 1928, c. 21, s. 23 aff.
- RURAL HYDRO-ELECTRIC DISTRIBUTION ACT. R.S.O. 1927, c. 59.
- RURAL POWER DISTRICT LOANS ACT. 1930, c. 14.
- RURAL POWER DISTRICT SERVICE CHARGE ACT. 1930, c. 15.

## S

- SALE OF GOODS ACT. R.S.O. 1927, c. 163.
- SALES. *See* Alberta Coal Sales Act; Bread Sales Act; Bulk Sales Act; Conditional Sales Act; Fruit and Vegetables Consignment Act; Fruit Sales Act; Milk and Cream Act; Milk, Cheese and Butter Act; Sale of Goods Act; Tax Sales Confirmation Act.
- SANATORIA FOR CONSUMPTIVES ACT. R.S.O. 1927, c. 357.
- SANDWICH, WINDSOR AND AMHERSTBURG RAILWAY ACT. 1930, c. 17.
- SAWLOGS. *See* Cullers' Act; Lakes and Rivers Improvement Act, Part VI.
- SAW MILLS. *See* Mills Licensing Act.
- SCHOOL ATTENDANCE ACT. R.S.O. 1927, c. 332; 1930, c. 63, ss. 23-28 am.
- SCHOOL LAW AMENDMENT ACT. 1928, c. 53; 1929, c. 84; 1930, c. 63.
- SCHOOLS, SITES ACT. R.S.O. 1927, c. 335; 1928, c. 54 rep. and sup.; 1930, c. 63, s. 31 am.
- SCHOOL TRUST CONVEYANCES ACT. R.S.O. 1927, c. 336.
- SCHOOLS. *See* Education; School Sites Act; School Trust Conveyances Act.
- SCHOOLS FOR THE DEAF AND BLIND ACT. R.S.O. 1927, c. 330.
- SECURITY FRAUDS PREVENTION ACT. 1928, c. 34; 1929, c. 51 am; 1930, c. 39 rep. and sup.
- SEDUCTION ACT. R.S.O. 1927, c. 102.
- SEPARATE SCHOOLS ACT. R.S.O. 1927, c. 328; 1928, c. 53, s. 8 am.; 1930, c. 63, s. 20 am.
- SETTLED ESTATES ACT. R.S.O. 1927, c. 105.
- SHEEP. *See* Dog Tax and Sheep Protection Act.
- SHERIFFS' ACT. R.S.O. 1927, c. 18; 1929, c. 8 am.; 1930, c. 21, s. 1 am.
- SHORT FORMS OF CONVEYANCES ACT. R.S.O. 1927, c. 143.
- SHORT FORMS OF LEASES ACT. R.S.O. 1927, c. 144; 1929, c. 23, s. 7 am.
- SHORT FORMS OF MORTGAGES ACT. R.S.O. 1927, c. 145.
- SHOWS. *See* Theatres and Cinematographs Act; Travelling Shows Act.
- SILICOSIS ACT. 1929, c. 71; 1930, c. 59 am.
- SNOW ROADS AND FENCES ACT. R.S.O. 1927, c. 254.
- SOLDIERS. *See* Returned Soldiers' and Sailors' Land Settlement Act; Soldiers' Aid Commission Act.
- SOLDIERS' AID COMMISSION ACT. 1929, c. 4 rep. and sup.
- SOLICITORS ACT. R.S.O. 1927, c. 194.
- STALLION ACT. R.S.O. 1927, c. 303.
- STANDARD HOTEL REGISTRATION OF GUESTS' ACT. R.S.O. 1927, c. 258; 1929, c. 75, s. 3 rep.
- STATIONARY AND HOISTING ENGINEERS' ACT. R.S.O. 1927, c. 207.
- STATUTE OF FRAUDS. R.S.O. 1927, c. 131; 1929, c. 23, s. 6 am.
- STATUTE LABOUR ACT. R.S.O. 1927, c. 239.
- STATUTE LAW AMENDMENT ACT. 1928, c. 21; 1929, c. 23; 1930, c. 21.
- STATUTES ACT. R.S.O. 1927, c. 2.
- STEAM BOILER ACT. R.S.O. 1927, c. 308; 1929, c. 80 am.
- TEAM THRESHING ENGINES ACT. R.S.O. 1927, c. 307.
- STENOGRAPHIC REPORTERS ACT. R.S.O. 1927, c. 204.
- SUBURBAN AREA DEVELOPMENT ACT. R.S.O. 1927, c. 237; 1929, c. 62 am.
- SUBURBAN AREAS. *See* Planning and Development Act; Suburban Area Development Act.

- SUCCESSION DUTY ACT. R.S.O. 1927, c. 26; 1928, c. 7 am.; 1929, c. 19 am.  
 SULPHUR FUMES. *See* Damage by Fumes Arbitration Act.  
 SUMMARY CONVICTIONS ACT. R.S.O. 1927, c. 121; 1929, c. 37 am.; 1930, c. 21, s. 10 am.  
 SUPERANNUATION. *See* Public Service Act, Part III; Teachers' and Inspectors' Superannuation Act.  
 SURROGATE COURTS ACT. R.S.O. 1927, c. 94; 1929, c. 23, s. 4 am.; 1930, c. 21, s. 8 am.; c. 25, s. 4 rep.  
 SURVEYORS. *See* Land Surveyors' Act.  
 SURVEYS ACT. R.S.O. 1927, c. 202.

## T

- TAXATION. *See* Amusements Tax Act; Assessment Act; Corporations Tax Act; Gasoline Tax Act; Land Transfer Tax Act; Luxury Tax Act; Mining Tax Act; Mortgage Tax Act; Provincial Land Tax Act; Railway Fire Charge Act; Succession Duty Act.  
 TAX SALES CONFIRMATION ACT. 1929, c. 64.  
 TEACHERS' AND INSPECTORS' SUPERANNUATION ACT. R.S.O. 1927, c. 331; 1929, c. 84, s. 13 am.; 1930, c. 63, ss. 21, 22 am.  
 TECHNICAL EDUCATION. *See* Vocational Education Act.  
 TELEGRAPH COMPANIES ACT. R.S.O. 1927, c. 220.  
 TELEPHONE ACT. R.S.O. 1927, c. 227; 1928, c. 21, s. 12 am.  
 TEMISKAMING AND NORTHERN ONTARIO RAILWAY ACT. R.S.O. 1927, c. 53.  
 TERRITORIAL DIVISION ACT. R.S.O. 1927, c. 3.  
 THEATRES AND CINEMATOGRAPHS ACT. R.S.O. 1927, c. 285; 1930, c. 58 am.  
 THRESHING MACHINES. *See* Steam Threshing Engines Act; Threshing Machines Att.  
 THRESHING MACHINES ACT. R.S.O. 1927, c. 287.  
 TICKET SPECULATION ACT. R.S.O. 1927, c. 273.  
 TILE DRAINAGE ACT. R.S.O. 1927, c. 65; 1928, c. 21, s. 2 am.; 1929, c. 25 rep and sup.  
 TIMBER. *See* Crown Timber Act; Cullers' Act; Provincial Forests Act; Pulpwood Conservation Act; Forestry Act; Timber Cutting Regulation Act.  
 TIMBER CUTTING REGULATION ACT, 1928, c. 15.  
 TORONTO GENERAL HOSPITAL ACT. R.S.O. 1927, c. 358; 1928, c. 58 aff.  
 TOWN SITES ACT. R.S.O. 1927, c. 44.  
 TRADE DISPUTES ACT. R.S.O. 1927, c. 178.  
 TRANSFER OF PROPERTY. *See* Conveyancing and Law of Property Act; Investigation of Titles Act; Land Titles Act; Registry Act; Short Forms of Conveyances Act.  
 TRANSPORTATION OF FOWL ACT. 1929, c. 79.  
 TRAVELLING SHOWS ACT. R.S.O. 1927, c. 256; 1930, c. 50 am.  
 TREE PLANTING ACT. R.S.O. 1927, c. 255.  
 TRUST CORPORATIONS ACT. *See* Loan and Trust Corporations Act.  
 TRUSTEE ACT. R.S.O. 1927, c. 150; 1928, c. 23 am; 1930, c. 31 am.

## U

- UNDERTAKERS. *See* Embalmers and Funeral Directors Act.  
 UNIVERSITY ACT. R.S.O. 1927, c. 337; 1930, c. 63, ss. 29, 30 am.  
 UNIVERSITY AVENUE EXTENSION ACT. 1928, c. 17; 1929, c. 23, s. 19 am.  
 UNIVERSITY LANDS ACT. 1928, c. 55; 1929, c. 85 am; 1930, c. 65 aff.  
 UNIVERSITY OF WESTERN ONTARIO ACT. 1928, c. 56.  
 UNWROUGHT METAL SALES ACT. R.S.O. 1927, c. 50.  
 UPPER CANADA COLLEGE ACT. R.S.O. 1927, c. 338.

## V

- VACANT LAND CULTIVATION ACT. R.S.O. 1927, c. 250.  
 VACCINATION ACT. R.S.O. 1927, c. 263.  
 VEGETABLES. *See* Fruit and Vegetables Consignment Act.  
 VEHICLES. *See* Highway Traffic Act; Public Vehicle Act; Public Commercial Vehicle Act.  
 VENDORS AND PURCHASERS ACT. R.S.O. 1927, c. 153.  
 VENEREAL DISEASES PREVENTION ACT. R.S.O. 1927, c. 264.

- VETERANS' LAND GRANT ACT. 1901, c. 6; 1920, c. 15; 1922, c. 17 am.  
 VETERINARY COLLEGE ACT. R.S.O. 1927, c. 340.  
 VETERINARY SCIENCE PRACTICE ACT. R.S.O. 1927, c. 208.  
 VEXATIOUS ACTIONS. *See* Public Authorities Protection Act; Vexatious Proceedings Act.  
 VEXATIOUS PROCEEDINGS ACT. 1930, c. 24.  
 VITAL STATISTICS ACT. R.S.O. 1927, c. 78; 1929, c. 26 am; 1930, c. 19 am.  
 VOCATIONAL EDUCATION ACT. R.S.O. 1927, c. 334; 1929, c. 84, ss. 14, 15 am.; 1930, c. 64 rep. and sup.  
 VOTERS' LISTS ACT. R.S.O. 1927, c. 7; 1929, c. 23, s. 1 am.

## W

- WAGES. *See* Minimum Wage Act; Public and other Works Wages Act.  
 WAGES ACT. R.S.O. 1927, c. 176.  
 WAREHOUSEMEN'S LIEN ACT. R.S.O. 1927, c. 169.  
 WATER POWERS REGULATION ACT. R.S.O. 1927, c. 58.  
 WEED CONTROL ACT. R.S.O. 1927, c. 309; 1928, c. 51 am.  
 WELL DRILLERS ACT. R.S.O. 1927, c. 48.  
 WHARFS AND HARBOURS ACT. R.S.O. 1927, c. 221.  
 WILLS ACT. R.S.O. 1927, c. 149.  
 WINDSOR, ESSEX AND LAKE SHORE RAPID RAILWAY ACT. 1929, c. 56, ss. 2-18 aff., s. 19 am.; 1930, c. 18, ss. 2-4 aff., s. 5 am.  
 WITNESSES. *See* Evidence Act.  
 WIVES. *See* Deserted Wives' and Children's Maintenance Act; Dependants' Relief Act; Dower Act.  
 WOLF BOUNTY ACT. R.S.O. 1927, c. 320; 1928, c. 21, s. 13 am.; 1929, c. 83 am.; 1930, c. 21, s. 17 am.  
 WOMEN. *See* Deserted Wives' and Children's Maintenance Act; Dower Act; Factory, Shop and Office Building Act; Female Patients and Prisoners Protection Act; Female Refugees Act; Minimum Wage Act; Mothers' Allowances Act.  
 WOODMEN'S LIEN FOR WAGES ACT. R.S.O. 1927, c. 174.  
 WORKMEN'S COMPENSATION ACT. R.S.O. 1927, c. 179; 1928, c. 26 am.  
 WORKMEN'S COMPENSATION INSURANCE ACT. R.S.O. 1927, c. 180.









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